

Water Right Number 2242-3

1. Considered MAY 21, 1975
2. Name of Applicant BENNY QUAM
3. Post Office Address ELK POINT
4. Amount of Water claimed 2.0
5. Source of Water supply GROUND WATER (180' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 140
7. Water to be diverted and used in UNION County
about 2.4, 1.1 miles of ELK POINT
8. Proof of Publication Received 4-28-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2742-3

Map No. 1635-3 Water Division No. 3 BIG SIOUX RIVER District
(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)

- Name of Applicant Benny Quam
Postoffice address Elk Point, State South Dakota 57025
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) contract
Benny Quam Irrigation Project
- Name of diversion work _____
- Amount of water claimed (cubic feet per second) 1200-gallons/minute 2.00 MAXIMUM ALLOWABLE
- Source of water supply well
- Location of point of diversion 1620' North and 1320' East of the SW Corner of Sec 11
T92 R50 County Union
- Annual period or periods during which water is to be used June thru August
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) crop Irrigation
- For irrigation use, _____ Total number of acres to be irrigated 140

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW $\frac{1}{4}$ Section 11 92 50	140		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Leader Courier, Elk Point, S^D 57025
- Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 15,000.00

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

I, Benny Quam 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.

Subscribed and sworn to before me this 31st day of March 19 75
Eric H. Pelgerson
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2242-3
BENNY CYAM RR#1, Box 209 ELK POINT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57025 With the following modifications:
 (State)

The irrigation well approved under this Permit is located near domestic 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.

Date of first receipt of application APRIL 3, 19 75
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved MAY 22, 19 75, Recorded in Book 13 Page 287

WATER RIGHT PERMIT NO. 2242-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2242-3 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 APRIL 3, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 19 77
3. The whole of said work is to be completed on or before MAY 22, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 19 80
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 2.0 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 ($\frac{1}{70}$) 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 MAY 22, 19 75; said water to be used during the following described annual period: JUNE THRU AUGUST

Witness my hand this 28TH day of MAY, 19 75

WATER RIGHTS COMMISSION

By:

Wendell Butler
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3, 19 78

Water License Issued FEBRUARY 3, 19 78

NOTICE OF WELL CONSTRUCTION

Location of well _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____
Well owner Benny G. Leane E. L. Leane
(Name) (Address)
Date well drilling completed July 75 Purpose of well _____
(domestic, irrigation, municipal, industrial, other)

[illegible]

Attach sheet if more space is needed

170 ft 16" A.C. Cement

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

20 ft. 16" 60 St. Johnson Well Screen

If a flowing well, flow of completion well _____ O.P.M.

P. P. A. W. H. C.

Name of Drilling Contractor

PUMP INSTALLATION

Company name and size of pump Walthamington HP 100

Type of pump Turbine Capacity of installed pump 950 G.P.M.

Depth of pump placement 156 ft., Date of pump installation July 25

On some wells an air-tight water surface measuring tube is required: See Section 46.403 of Chapter 45, MINIMUM WELL CONSTRUCTION STANDARDS.

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

James C. Mc...
Licence of Pump Installation Contractor

AAA WELLS CO.

Paul C. Worra
123 Lakewood
PIERRE, S. D.

Form 2A - Walls, 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 30", Depth 180'
(2) Casing, Type concrete Diameter 18" Thickness 20"
(wood, concrete, steel etc)
(3) Perforated Screen,
Type clotted, Diameter 12", Length 20'
(4) Gravel Pack, Thickness 6-9", Length of gravel pack 20'±

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 _____

Depth to top of water bearing material 160'

Depth to bottom of water bearing material 180'

Thickness of water bearing material 30'

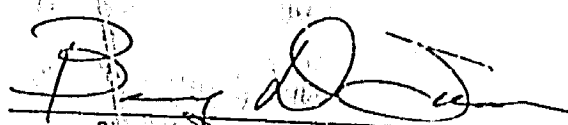
Depth to water (ground surface to water level) 160'

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

On same owner's property 110 rds. On property owned by others 200 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.


Signature of Applicant

Form 15.

Permit No. 2242-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Denny Quam

_____ the holder _____ of
Permit No. 2242-3, issued upon Application No. 2242-3, bearing date of priority of April 3,
1975 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
groundwater County of Union, State of South Dakota at _____
a point 1060'N and 1320'E of the SW corner, Section 11, T92N, R50W
_____, 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 2.68 cu. ft. per second of water.

Date February 2, 1976

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

WATER LICENSE NO. 2242-3

- (1) WHEREAS, On the 3rd day of April A. D. 19 76
Donny Quam
 made Water Right Application No. 2242-3 for a permit to use 2.0 cubic feet per second of the waters
 of ground water
 County of Union, State of South Dakota, for irrigation
purposes; and
- (2) WHEREAS, On the 23th day of May A. D. 19 76
 Permit No. 2242-3, with a date of priority of April 3, 1975
 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 22nd day of May A. D. 19 80 and for the
application to beneficial use of said water on or before the 22nd day of May A. D. 19 80

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 156 acre circle in the SW1, Section 11, T22N, R50W

(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 Burny Quam

_____ of Ells Point
the holder _____ and owner _____ of said permit No. 2242-3 a water right, dating from April 3, 1970

_____ to use of 1.05 cubic feet per second of the waters

of ground water

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

purposes hereinbelow mentioned, to be diverted at a point 140'N and 1320'E of the SW corner,
Section 11, T92N, R 50W

and conduct to and upon a 156 acre circle in the SW 1/4, Section 11, T92N, R50W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2242-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of February A. D.

Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

February 10, 1978

Benny Quam
Elk Point SD 57025

Dear Mr. Quam:

Enclosed herewith are, Water License No. ~~2242-3~~ and Certificate of Construction.

Water License No. ~~2242-3~~ is the final water right document completing your process of obtaining 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
WATER RIGHTS COMMISSION

JH: kjw

Enclosures

NOTE: Your pump capacity is 2.68 cfs (1203 gpm) and based upon the acreage actually irrigated you are entitled to only divert 1.95 cfs (875). Any diversion in excess of 1.95 cfs would be a violation of your water right.

March 14, 1975

Mr. Benny Quan
Rt. 2, Box 135
Elk Point, S.D. 57025

Dear Mr. Quan:

Enclosed please find the original copy of the report of analysis of the water sample submitted hereabout ten days ago. I have received your WI-1 form and am sending that, plus a copy of this letter and a copy of the water analysis to the State Conservation Commission.

You will find enclosed a copy of Extension Circular 654 with the approximate quality of your water for irrigation purposes designated by an encircled red cross on the outside back cover. You will see that it is high in salinity and low in sodium. This means that the total salt content of the water is above what is desirable, but that the sodium proportion of all cations in the salt is quite low. Thus the water is suitable for irrigation in most soils. Since the soil which you have is presumably underlain by sand and gravel at various depths, there should be no difficulty if you irrigate with large quantities of water (over three inches at a time) and infrequently. If you do otherwise, you will encounter a build-up of salts in the upper part of the soil in a moderately short time; perhaps four to five years. Under these conditions, I recommend the approval of this water use application.

Sincerely yours,

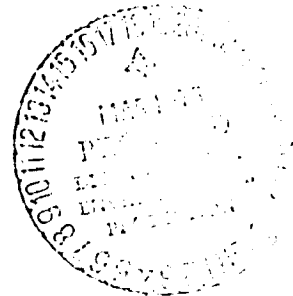
L. O. Fine

L. O. Fine
Water Quality Lab

LOF:MRB

Enclosures

cc: State Conservation Commission
Louie DeSmet, Union County Agent
Darrel Pahl



STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Benny Quam
ADDRESS: RT 2 Box 135 Elk Point SD 57025
COUNTY: LEWIS & CLARK

LEGAL DESCRIPTION

1. WELL LOCATION: SW 1/4 sec 11 T92N R50W
2. AREA TO BE IRRIGATED: Same as above

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): SPRINKLER center pivot
4. CROPS TO BE IRRIGATED: Corn - Beans -

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: _____
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-137
8. SALINITY: EC = 2152 micromhos/cm (high)
9. SODIUM: Sodium Adsorption Ratio - 1.72 (low)

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from

_____.

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

B. J. DeSmet

Subscribed and sworn before me this

24 day of Feb 1975.

Laurie E. DeSmet

Union Co. Ext agent

(Title)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Benny Quam
 Address: Box 2, Fox 135
Elk Point, SD 57025

Date Rec'd March 3, 1975
 Sample No. 75-137
 Identification Well-
11, Sec. 11, T. 92N, R. 50W

WATER ANALYSIS

Calcium (Ca)	330	ppm*	16.50	me/l**
Magnesium (Mg)	82	ppm	6.72	me/l
Sodium (Na)	135	ppm	5.87	me/l
Potassium (K)	24	ppm	0.61	me/l
Sulfate (SO ₄)	950	ppm	19.76	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	66	ppm	1.86	me/l
Bicarbonate (HCO ₃)	337	ppm	5.52	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	276	ppm (as CaCO ₃)		
Alkalinity (Phenolphthaleim)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2152	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.72			
Sodium	19.76	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.15			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 29.70 me/l
 Total anions 27.14 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-137

Amount Enclosed \$

Signed

No. 2242-3

Publish first publication, on or before July 1, 1975

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

July 1, 1975

Notice is hereby given that Benny Guern
whose post office address is Elk Point, 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
2.0 cubic feet of water per second of time from pipe ground water through the
Benny Guern Irrigation Project, the point of diversion of which is to be located in the _____

R1E S1/2
of Section 11, Twp. 92N, Range 56W. Said water to be used for the purpose
of providing irrigation on the following described land:

S1/2, Section 11, T92N, R56W

This application No. 2242-3 will be considered by the Water Rights Commission at its office at
Pierre upon the 21st day of July, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Benny Guern, Elk Point, S.D. 57025

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Byron Helgersen hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

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 Elk Point of _____

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

4 17 75

4 24 75

Byron Helgersen
(Signature)

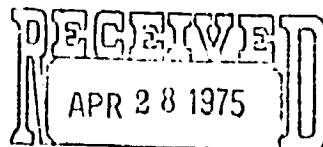
Publisher
(Title)

4 24 75

(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
April 9, 1975
Notice is hereby given that
Benny Quam, whose post office
address is Elk Point, South Dak-
ota, has made an application in
accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.0 cubic feet of
water per second of time from
ground water through the Benny
Quam Irrigation Project, the
point of diversion of which is to
be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 11, Twp., 92N, Range
50W. Said water to be used for
the purpose of providing irrigat-
ion on the following described
land: SW $\frac{1}{4}$, Section 11, T92N,
R50W.

This application No. 2242-3
will be considered by the Water
Rights Commission at its office
at Pierre upon the 21st day of
May, 1975, at 2:30 p.m. All
interested persons may appear
and be heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
Publish: April 17 & 24



STATE WATER RIGHTS COMM
PIERRE, SOUTH DAKOTA

1155-3
576-3

10-11-3 North River

10-12-3 North River

10-16-3 Bridge 1679-3 to bridge

10-17-3 River 1679-3 to bridge

Well 10 ft deep - 1679-3

1200 gpm

C.P. 1679-3 136

Well 338 N of center

6" diameter pipe

1679-3 1679-3

1750 1750

Water

1679-3 1679-3

1679-3 1679-3

5-31-78 1679-3

1679-3

1679-3

Permit No. 2-242-3Water Division: 3 Big Sioux 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 Benny
Guam of Elk Point, S.D.K. 57025 holder
of Permit No. 2242, bearing date of priority of April 3, 1975
authorizing the diversion of 2.0 cu. ft. per second of the waters of Ground
for Irrigation purposes, in Union 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:
Engine - Minneapolis Motor Model 3000A; Ser # 06601426 EST 1404P
Propane Fuel
Pump - Worthington Vertical Pump
Pumping 1200 Gpm.
- B. Works used to transport water to place of use,
8" Dia PVC Underground; 338ft Long.
- C. Works used to apply water to beneficial use.
Hydraulic Center Pivot Model B675 FOR 79TP1TD.
Ser # 75CS 5050 D.

The system is in the following condition: ExcellentThe point of diversion is located 1660 ft North and 1320 ft East of the SW
Corner of Section 11, T92N R50W.The works are capable of diverting and conveying to the place of use 2.08
cu. 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 section 11, T92N R50W

NW 1/4 SW 1/4 - 34.0 Ac. NE 1/4 SW 1/4 - 34.0 Ac. SW 1/4 SW 1/4 - 34.0 Ac.
SE 1/4 SW 1/4 - 34.0 Ac.

comprising a total of 136 acres of land.

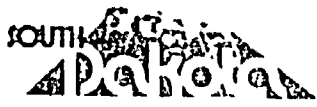
Well Data:

Depth - 200 ft

Capacity - 2000 gpm.

Date May 31, 1977

Leroy J. McLaughlin
(Signature)



Department of Water & Natural Resources

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

March 31, 1986

Notice

Senny Quam
RR 1, Box 209
Elk Point, SD 57025

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2242-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 2242-3 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.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

**South Dakota Department of
Water & Natural Resources**

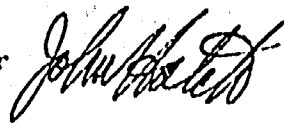
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(S)

To: Benny Quam
RR 1 Box 209
Elk Point SD 57025

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



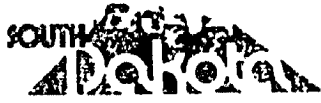
SUBJECT: Amendment to Water Permit No(s). 2242-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 2242-3 to add the following qualification:

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

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

Attachment to Water Permit No. 2242-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 2242-3 to add the following qualification:

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

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

March 23, 1987

BENNY QUAM
RR #1 BOX 209
ELK POINT, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 2242-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 2242-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2242-3 qualification:

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

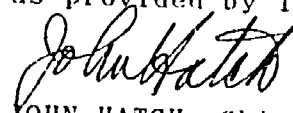
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 2242-3 until either the 1986 Questionnaire is submitted or for a period of up to one 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 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

May 14, 1987

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: BENNY QUAM
RR #1 BOX 209
ELK POINT, SD 57025

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 2242-3 If
The 1986 Irrigation Questionnaire Is Not Received By
June 1, 1987

Pursuant to the provisions of the Notice dated March 23, 1987,
and following the Hearing May 6, 1987, the Water Management Board
ordered:

That Water Permit No(s). 2242-3 be **SUSPENDED** until December 31,
1987 unless the required 1986 Irrigation Water Use Questionnaire
is received by June 1, 1987.

Suspension of a permit means water may not be pumped during the
1987 Irrigation Season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.



Department of Water & Natural Resources

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

May 29, 1987

Permit No. 2242-3

Mark Quam
Elk Point, SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of the 1986 Irrigation Questionnaire for Water Permit No. 2242-3 listed in the name of Benny Quam. A notice was sent to Mr. Quam May 14, 1987 regarding the Board action taken May 6, 1987 to suspend the permit if the 1986 irrigation questionnaire was not received before June 1, 1987.

You may disregard the May 14 notice. With receipt of your 1986 questionnaire, the permit will not be suspended.

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

September 23, 1987

2242-3

Mark Quam
Elk Point SD 57025

Dear Mr. Quam:

I am contacting you in reference to Water Right No. 2242-3, currently listed under the name of Benny Quam. Last spring we spoke on the phone about the irrigation questionnaire and ownership of Water Right No. 2242-3. I believe I indicated I would send you a "Notice of Transfer" form to have the water right changed to your name. In checking the file, it seems I forgot to send the form to you.

Enclosed is a partially completed "Notice of Transfer". Please check over the form, sign in the presence of a notary and return the form to our office. A \$2.50 filing fee is required for filing the transfer. Upon receipt of the completed form and \$2.50 filing fee, Water Right No. 2242-3 will be transferred to you.

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

I apologize for the delay in sending the transfer form to you. If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

BENNY BLUM

49 81 BOX 401

FLY POINT SD 57075

4. Article Number

P 331 925 630

Type of Service:

- ☐ Registered
☒ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee

X

6. Signature — Agent

X

Kristi Zwan

7. Date of Delivery

MAY 18 1987

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



2242-3

Department of Water & Natural Resources

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

January 29, 1988

MARK QUAM
ELK POINT, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 2242-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 2242-3. 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 permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2242-3 qualification:

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

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 2242-3 until either the 1987 Questionnaire is submitted or for a period of up to one 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, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**

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

March 1, 1988

2242-3

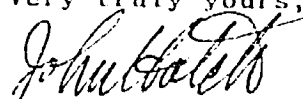
Mark Quam
Elk Point SD 57025

Dear Mr. Quam:

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. 2242-3 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

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Feb 2, 1983

This is to notify you that the title to the lands described as follows:

136 acre circle in the SW 1/4 Section 11, T92N, R50W

formerly owned by Benny Quan, RR 1, Elk Point SD

has been transferred to Mark Quan, Box 2224, Elk Point SD 57025

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2242-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of _____) ss.

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

Mark Quan
(Signed)

Subscribed and sworn to before me this 26 Day of February, 1983.

Edna J. Bird
(Notary Public)

Commission Expires 11-3-90

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 29, 1988, 19__

RECEIVED OF Mark Quan, RR 1, Box 222A, Elk Point, SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>2242-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

March 2, 1988

Mark Quam
RR 1, Box 222A
Elk Point, South Dakota 57025

Dear Mr. Quam:

Enclosed is receipt No. 411163 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 2242-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

 **Department of
Water & Natural Resources**

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

February 8, 1989

MARK QUAM
RR 1 BOX 222A
ELK POINT, SD 57025

NOTICE

RE: Violation of Water Permit No(s). 2242-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 2242-3. 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 permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2242-3 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 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

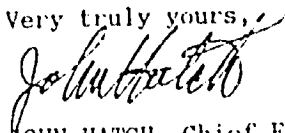
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 2242-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one 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, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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





Department of Water & Natural Resources

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

March 7, 1989

2242-3

Mark Quam
RR #1 Box 222A
Elk Point, SD 57025

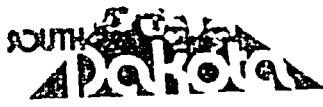
Dear Mr. Quam:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 2242-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

MARK QUAM
RR 1 BOX 222A
ELK POINT, SD 57025

NOTICE

RE: Violation of Water Permit No(s). 2242-3

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 2242-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2242-3 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, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-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:

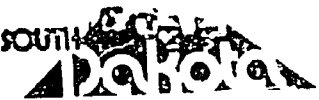
1. Suspend Permit No(s). 2242-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



Department of Water & Natural Resources

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

March 14, 1990

2242-3

Mark Quam
RR #1 Box 222A
Elk Point, SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 2242-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

RON DUVAL
Natural Resources Engineer
Water Rights Division

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 1, 1991

MARK QUAM
PR 1 BOX 222A
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 2242-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2242-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 2242-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

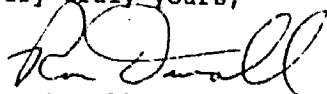
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 2242-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one 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 February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

SENDER. Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MARK QUAM
RR 1 BOX 222A
ELK POINT SD 57025

4. Article Number

P694057522

Type of Service:

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

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee

X *Mark Quam*

6. Signature - Agent

X

7. Date of Delivery

2-25-91

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

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 25, 1991

2242-3

Mark Quam
RR #1 Box 222A
Elk Point, SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 2242-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MARK QUAM
RR 1 BOX 222A
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 2242-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 2242-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2242-3 qualification:

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

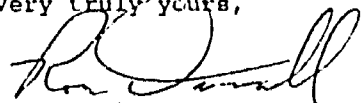
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, 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) 2242-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Mark Quam

2242-3

Mark Quam
RR #2 Box 456
Elk Point, SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 2242-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

MARK QUAM
RR 1 BOX 222A
ELK POINT, SD 57025

4a. Article Number

P906 557 790

4b. Service Type

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

7. Date of Delivery

01-29-92

5. Signature (Addressee)

Mark Quam

6. Signature (Agent)

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



2242-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: MARK QUAM
RR 2 BOX 456
ELK POINT SD 57025

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

RE: Violation of Water Permit No(s) 2242-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 2242-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2242-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to 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) 2242-3 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 February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

MARK QUAM
RR 2 BOX 456
ELK POINT SD 57025

2242-3

4a. Article Number

P906 560 111

4b. Service Type

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

7. Date of Delivery

02/01/93

5. Signature (Addressee)

Mark Quam

6. Signature (Agent)

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

2242-3



Mark and Susan Quam
RR. 2 Box ~~224~~ 456
Ell Point, SD 57025
(605) 356-3312

Union County, South Dakota
Clay County, South Dakota
Plymouth County, Iowa



Feb. 27, 1993

Dept. of Environment and
Natural Resources,

I am writing concerning two matters. Thank you
for your co-operation.

First, the transfer of land (concerning the Water Right
No. 1677A-3 in Union County) in Sections 18 and 7 of
Sandy Valley Township (93N-48W) of Union County has not
yet been completed. Burnett Quam owned this
water right and the settlement of the estate is
continuing with closure probably in March. At that
time the paper work sent to me on owner-ship
transfer will be completed and sent to you.

Second, I have inadvertently misplaced the two
Irrigation Questionnaires sent to me for 1992. There
isn't, however, much to report. The farm described
above (93N-48W) in Union County had no irrigation
activity in 1992. Timely rain fell throughout the
year. The "Mark Quam farm" in Section 11 (Brule
Township 92N-50W) of Union County had very limited

→

activity, — again due to more than ample rainfall. 65 acres of soybean were irrigated for 18 hours (1000 gals. per min.) in June. That is the only irrigation activity to report.

Again, thank-you for your co-operation — and I'll be in contact with your office as soon as ownership has transferred on the Liong Valley Township farm.

Very truly yours,
Mark Zuercher.

2242-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 1993

1677A-3
2242-3

Mark & Susan Quam
RR #2 Box 456
Elk Point, SD 57025

Dear Mr. & Mrs. Quam:

I am writing to acknowledge receipt the information needed for your 1992 irrigation questionnaires for Water Right Nos. 1677A-3 and 2242-3. The information was taken from your March 1st letter. You may disregard the January 29, 1993, Notice of Violation of Water Permits.

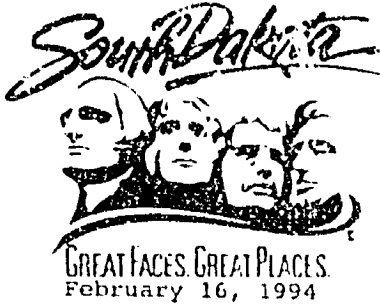
The questionnaires were received prior to the Water Management Board meeting, and your names were deleted from the agenda.

With reference to the "Notice of Transfer" for Water Right No. 1677A-3 (Burnett Quam Estate), I have made a notation in the file that you intend to file the transfer of ownership as soon as the Estate is settled.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3552



2242-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

MARK QUAM
RR 2 BOX 456
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 2242-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2242-3. The request for the Questionnaire 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 determine the action to be taken for violation of Water Permit No(s) 2242-3 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 Ave, 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) 2242-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before 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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MARK QUAM
RR 2 BOX 456
ELK POINT SD 57025

2242-3

4a. Article Number

P 831 692 633

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

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

5. Signature (Addressee)

6. Signature (Agent)

Thank you for using Return Receipt Service.

2242-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1994

NOTICE

TO: MARK QUAM
RR 2 BOX 456
ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 2242-3,

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
 2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
 5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
 1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
 4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
 180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
 1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
 1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
 417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
 540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
 1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
 792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
 4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
 2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
 1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
 1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
 1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
 2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
 526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
 1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
 3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
 1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
 407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
 4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
 5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
 2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
 4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57561.
 5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brancon, SD 57005-9606.
 475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
 961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Gollither, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

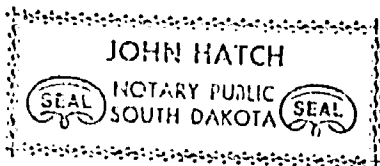
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.

John Hatch
 (Notary Public



JOHN HATCH, Notary Public
 My Commission Expires
 April 1, 2001

2242-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 29, 1994

1677A-3
2242-3

Mark Quam
RR #2 Box 456
Elk Point, SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 1677A-3 (Burnett Quam) and No. 2242-3 (Mark Quam).**

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

You indicated on the questionnaire for Water Right No. 1677A-3 that you have inherited the land from Burnett Quam. Enclosed is a partially completed "Notice of Transfer of Ownership" form. Please complete the form, sign in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Upon receipt of the completed form and filing fee in our office, Water Right No. 1677A-3 will be transferred to your name. If you have any questions, please contact me.

Sincerely,

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

enclosure



2242-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

MARK O QUAM
RR 2 BOX 456
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 1677A-3 & 2242-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 1677A-3 & 2242-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1677A-3 & 2242-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1677A-3 & 2242-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

SENDER:

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

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

1. ☐ Addressee's Address

☐ Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to:

MARK O QUAM
RR 2 BOX 456
ELK POINT, SD 57025

2242-3

4a. Article Number

P 757 566 318

4b. Service Type

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

7. Date of Delivery

02-08-95

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

5. Signature (Addressee)

6. Signature (Agent)

Mark Quam
D.B.

2242-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 1995

1677A-3
2242-3

Mark Quam
RR #2 Box 456
Elk Point, SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of Water Permit Nos. 1677A-3 and 2242-3.

The questionnaires 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,

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

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



2242-3

January 30, 1995

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

TO: MARK QUAM, RR 2 BOX 456, ELK POINT, SD 57025

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

SUBJECT: Violation of Water Permit No(s) 2242-3, 1677A-3

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2242-3, 1677A-3. The request for the Questionnaire 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 determine the action to be taken for violation of Water Permit No(s) 2242-3, 1677A-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 the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2242-3, 1677A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on or before March 1, 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 at (605) 773-3352.

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

2242-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 1996

1677A-3

2242-3

Mark Quam
RR 2 Box 456
Elk Point SD 57025

Dear Mr. Quam:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permit Nos. 1677A-3 and 2242-3.

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

2242-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 10, 1996

No. 2242-3

Terry J. Kucera
2514 Canterbury
Sergeant Bluff, IA 51054

Dear Mr. Kucera:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2242-3. The water right is currently listed in the name of Mark Quam.

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

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

If you have any questions, please contact me.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 1996

2242-3

Ferry J Kucera
2514 Canterbury
Sergeant Bluff, IA 51054

Dear Mr. Kucera:

Enclosed is the "Notice of Transfer of Ownership" form you submitted for transferring Water Right No. 2242-3 to your name. Prior to transferring the water right, I need to have you sign the form (see red check mark).

Once you have signed the form, please return it to our office. I am enclosing a postage paid envelope for your use in returning the form. No further filing fees are needed.

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

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-7352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 2242-3

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



Date: 5/14/96

I We request that Water Right No. 2242-3

formerly owned by: Mark Quam

be transferred to: (name & address) Terry J Kucera

2514 Canterbury, Sgt Bluff, IA 51051 Telephone No. 712-943-4247

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

SW 1/4 Section 11, T92N, R50W

I We understand that the validity of Water Right No. 2242-3 has not been determined by this transfer action. If I We have any questions on validity, I We understand that only the Water Management Board has the authority to determine if a water permit right is valid (see note).

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

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

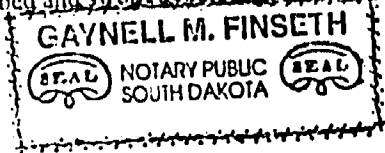
STATE OF SOUTH DAKOTA)

County of Lincoln)

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

X Terry J Kucera
(Signed)

Subscribed and sworn to before me this 14th day of MAY, 19 96.



Gaynell M. Finseth
(Notary Public)

My Commission Expires _____

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

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

RECEIPT

Division of Water Rights

414966

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 16, 19 96

RECEIVED OF Terry J. Kucera, 2514 Canterbury, Sergeant Bluff, IA 51054

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>Water Right No. 2242-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatch



2242-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 11, 1996

No. 2242-3

Terry J. Kucera
2514 Canterbury
Sergeant Bluff, IA 51054

Dear Mr. Kucera:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2242-3.
Our records now show you as the owner of Water Right No. 2242-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

1999 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 1, 1999

2242-3

356-2859

2242-3
TERRY J KUCERA
2514 CANTERBURY
SERGEANT BLUFF IA 51054

CHANGES TO ADDRESS LABEL, IF ANY:

Land sold - Boudette Hanson
337103 574th Avenue
Telephone No. Elk Pt. SD 57035

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

IS SYSTEM CONSTRUCTED? YES _____ NO _____ DID YOU IRRIGATE IN 1999? *YES _____ *NO _____

* IF YES, NUMBER OF ACRES IRRIGATED _____ *IF NO, LIST REASON(S) IN COMMENT SECTION

IS LAND ENROLLED IN CRP? YES _____ NO _____ IF YES, THROUGH WHAT YEAR? _____

DID YOU APPLY CHEMICALS OR FERTILIZER THROUGH THE SYSTEM IN 1999? YES _____ NO _____

SOURCE OF WATER _____

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS _____ TOWNLINES _____ BIG GUN _____

FLCOD _____ SPRINKLERS _____ OTHER _____

COMMENT SECTION:



THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE.
LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF ALFALFA). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 8 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 22 DAYS ON THE ALFALFA:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.



October 13, 1999

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

2242-3

Burdette Hanson
337103 574th Ave
Elk Point, SD 57025

Dear Mr. Hanson:

I am contacting you in regard to Water Right No. 2242-3, currently listed in the name of Terry J Kucera. Mr. Kucera notified our office that he sold the land described in the water right to you. I am including a copy of the water right which you may keep for your records.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50. As soon as we receive the completed form and filing fee from you, all pertinent records will be transferred to your name.

On the 1999 irrigation questionnaire submitted by Mr. Kucera, he indicated he sold the land to you but did not include any information as to whether or not the land was irrigated in 1999. I am enclosing a blank irrigation questionnaire for you to complete. The form will need to be completed and returned to our office by December 1st.

I am enclosing a postage paid envelope for your convenience in returning the transfer form, filing fee and the 1999 irrigation questionnaire. Thank you in advance for your help, and if you have any questions when completing the forms, please get in touch with me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2242-3

Date: Oct 20, 1999

I/We request that Water Right No. 2242-3

formerly owned by: Terry J Kucera

be transferred to: (name & address) Herald B. Hanson 104 Maple Court
Box 705 Elk Point, SD 57025-0705 Telephone No. 1-605-356-3144

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

SW 1/4 Section 11, T92N, R50W

I/We understand that the validity of Water Right No. 2242-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Union)

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

Gerald B. Hanson
(Signed)

Subscribed and sworn to before me this 8th day of November 1999.

Sandra Brown
(Notary Public)

SANDRA BROWN
My Commission Expires June 16, 2002

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NC 416252

Pierre, November 10 19 99

RECEIVED OF Gerald B. Hanson, 104 Maple Ct., Box 705, Elk Point, SD 57025-0705
the following amount in fees for services rendered as provided for by law:

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

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

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

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

Fee for Filing Transfer Form _____ Water Right No. 2242-3

Fee for Filing Extension Request _____

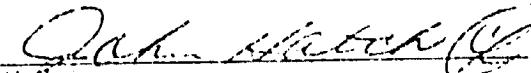
Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By 
Chad Ingber



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 12, 1999

2242-3

Gerald B Hanson
PO Box 705
Elk Point, SD 57025-0705

Dear Mr. Hanson:

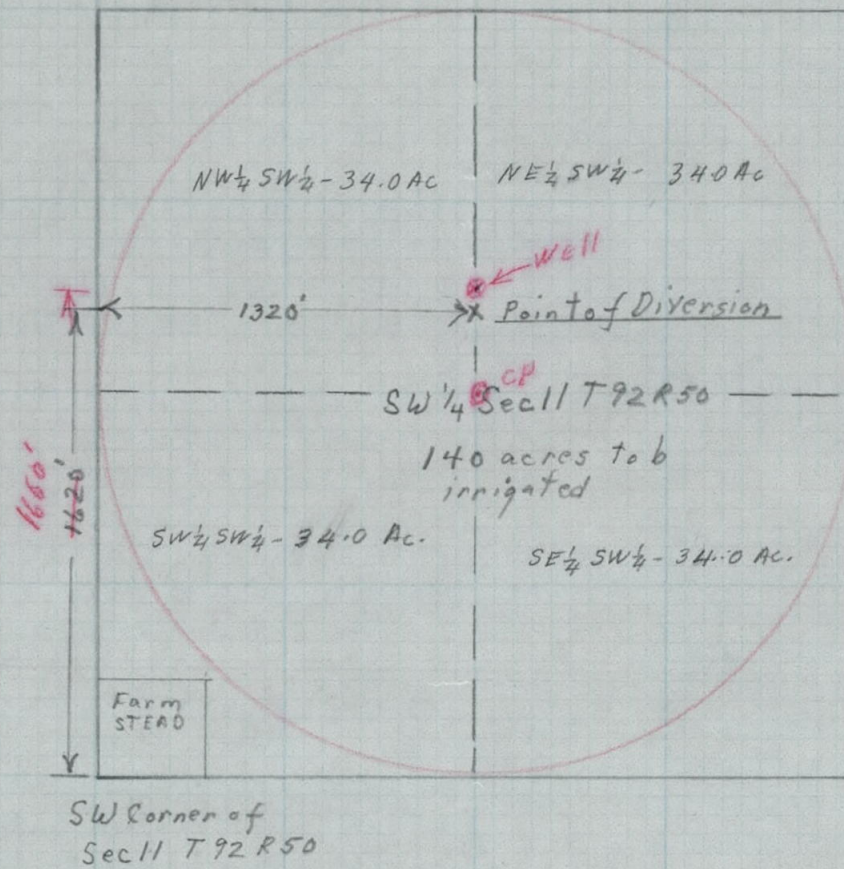
Thank you for returning the 1999 irrigation questionnaire; the "Notice of Transfer of Ownership" form and filing fee for Water Right No. 2242-3. The transfer has been completed and the water right is now listed in your name.

Enclosed is your Receipt No. 416252 in the amount of \$2.50. I have also included a copy of the transfer of ownership form you submitted. You may keep both of these for your records. If you have any questions concerning the water right, please get in touch with me.

Sincerely,

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

enclosures



Center Pivot System

Benny Quam, Elk Point, So. Dak 57025
 Quam Irrigation Project
 140 Acres to be irrigated

U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn	Sheet	Title
Traced	No.	Drawing No.
Checked	of	

MAP NO 1635-3444L NO 2242-3