

2452-3

1. Considered 1-22, 1976
2. Name of Applicant GORDON M. CANN
3. Post Office Address SPRINGFIELD
4. Amount of water claimed 2.6
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION

Acres to be irrigated 181.60

7. Water to be diverted and used in BON HOMME county  
about 3N 5E miles of SPRINGFIELD

8. Proof of Publication Received 12-29-75

Not Received \_\_\_\_\_

9. Application Approved \_\_\_\_\_

Subject to \_\_\_\_\_

Not Approved \_\_\_\_\_

Action deferred \_\_\_\_\_

10. Remarks:

No. 2452-3Map No. 1819-3 Water Division No. 3 MISSOURI RIVER District  
(Blanks to be Filled by the Engineer for the W. R. C.)

## APPLICATION FOR PERMIT

8.16

## To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

1. Name of Applicant Gordon McGowan  
 Post-office address Springsfield, 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) employment of others
3. Name of diversion work Gregory and Gordon McGowan Irrigation Project #3
4. Amount of water claimed (cubic feet per second) 2.6
5. Source of water supply Missouri River
6. Location of point of diversion 2200 ft. SW of NE Corner Section  
16-93-59 at the edge of Lewis + Clark Lake  
 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 181.6

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. |
|------------------------|----------------|------------------|----------------|
| N 1/2 16-93-59         | 31.1           |                  |                |
| NW 1/4 NW 1/4 15-93-59 | 16.2           |                  |                |
| S 1/2 9-93-59          | 84.3           |                  |                |
|                        |                |                  |                |
|                        |                |                  |                |

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 + Register, Lyndall, S. Dak.
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 + gravity

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 McGowan

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

Signed Gordon McGowanSubscribed and sworn to before me this 5th day of November 1975Re. H. H. H.  
Notary Public (or other qualified officer)

# WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2452-3  
GORDON McCANN SPRINGFIELD  
 (Applicant) (Post Office Address)  
SOUTH DAKOTA 57062 With the following modifications:  
 (State)

Date of first receipt of application NOVEMBER 7, 1975  
 Date of return to applicant for correction, amendments or changes required —, 19—  
 Date of receipt of corrected application —, 19—  
 Approved JANUARY 23, 1976, Recorded in Book 14, Page 210

WATER RIGHT PERMIT NO. 2452-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2452-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is NOVEMBER 7, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 1978
3. The whole of said work is to be completed on or before JANUARY 23, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 1985
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 2.6 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, 1985; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 29<sup>TH</sup> day of JANUARY, 1976

WATER RIGHTS COMMISSION

John H. Hatch  
 Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 25, 1980

Water License Issued MARCH 25, 1980

Public first publication, on or before January 8, 1976

**NOTICE  
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

December 12, 1975

Notice is hereby given that Gordon McCann, Springfield, S. D. 57063  
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  
3.6 cubic feet of water per second of time from the Missouri River through the  
McCann Project No. 3, the point of diversion of which is to be located in the

SW 1/4 NE 1/4

of Section 16, Twp. 93N, Range 50W. Said water to be used for the purpose  
of providing irrigation on the following described land:

S 1/2, Section 10; NW 1/4 NW 1/4, Section 15; S 1/2, Section 9, all in T93N, R50W

This application No. 2452-3 will be considered by the Water Rights Commission at their office at  
Pierre upon the 22nd day of January, 1976, at 2:30 Pm M. All interested  
persons may appear and be heard.

**WATER RIGHTS COMMISSION**

By:

**BURTON F. JONES**  
Water Rights Specialist

BFJ/lw  
cc: Gordon McCann

No. 2452-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County San Homme ) ss.

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

Water was taken from the Springfield Times

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

Dec. 18, 1975

" 25, 1975

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOTICE  
INTENT TO  
APPROPRIATE WATER

Notice is hereby given that  
Gordon McCann, Springfield,  
S.D. 57062 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 2.6 cubic feet of  
water per second of time from the  
Missouri River through the Mc-  
Cann Project No. 3, the point of  
diversion of which is to be located  
in the SW 1/4 NE 1/4 of Section 16,  
Twp. 93N, Range 59W. Said water  
to be used for the purpose of  
providing irrigation on portions  
of the following described land:  
S 1/2, Section 16, NW 1/4 NW 1/4,  
Section 15, S 1/2, Section 9, all in  
T93N, R59W.

This application No. 2452-3 will  
be considered by the Water  
Rights Commission at their office  
at Pierre upon the 22nd day of  
January, 1976, 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: Gordon McCann

(Dec. 18 and 25)

Permit No. 2452-3

Water Diversion No. 3 Missouri River Water District

### CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gordon McCann

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 2452-3, issued upon Application No. 2452-3, bearing date of priority of November 7,  
1975 authorizing the diversion of 2.6 cu. ft. per second of the waters of the  
Missouri River County of Bon Homme, State of South Dakota at \_\_\_\_\_  
a point 800 feet south and 30 feet east of the NW corner of Section 15,  
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 2.67 cu. ft. per second of water.

Date March 25, 1980

  
\_\_\_\_\_  
JOHN HATCH, Chief Engineer  
Water Rights, W D

## WATER LICENSE NO. 2452-3

(1) WHEREAS, On the 7th day of November, A. D. 1975

Gordon Hazzann

made Water Right Application No. 2452-3 for a permit to use 2.6 cubic feet per second of the waters of the Missouri River

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

purposes; and

(2) WHEREAS, On the 23rd day of January, A. D. 1981

Permit No. 2452-3, with a date of priority of November 7, 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 23rd day of January, A. D. 1981 and for the

application to beneficial use of said water on or before the 23rd day of January, A. D. 1985

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 2.2 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,

to irrigate the following lands all in T33N, R59W

Section 9

NW 1/4 NW 1/4 4

SE 1/4 NW 1/4 4

NW 1/4 SE 1/4 40

SW 1/4 SE 1/4 36

Section 15

NW 1/4 NW 1/4 15

NE 1/4 NW 1/4 1

Section 16

NW 1/4 NE 1/4 22

NE 1/4 NE 1/4 29

SW 1/4 NE 1/4 4

total 155 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 McCann

\_\_\_\_\_ of Springfield SD

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. \_\_\_\_\_ a water right, dating from November 7, 1976

\_\_\_\_\_ to use of 2.2 \_\_\_\_\_ cubic feet per second of the waters

of the Missouri River

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

purposes hereinbelow mentioned, to be diverted at a point 800 feet south and 30 feet east

of the NW corner of Section 15, T93N, R59W

and conduct to and upon portions of land in Sections 9, 15 and 16, T93N, R59W, more fully  
described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2452-3 and subject to the laws of the State of South Dakota.

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

this 25th day of March A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch  
Chief Engineer, JOHN HATCH

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE  
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT  
DIVISION OF WATER RIGHTS  
JOE FOSS BUILDING

Post Office 20113-1291Date Nov 10, 1977

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

Dear Sirs:

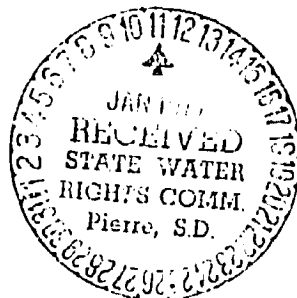
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2452-3

Water Right Permit No. 2452-3 states that the diversion system is to be constructed by Jan 23, 1981 and that the water is to be put to beneficial use by Jan 23, 1981.

The diversion system was completed on July 1, 1976. Applying the water to beneficial use was completed on July 1, 1976.

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

Barbara McLean  
(Signature)



# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7269

January 29 1920

PIERRE, \_\_\_\_\_, 1920

RECEIVED OF Gordon McGann, Springfield, SD 57062

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

|                                                                                                                     |   |    |
|---------------------------------------------------------------------------------------------------------------------|---|----|
| Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____ |   |    |
| Fee for Inspecting Construction, and Issuing Cert. of Construction No. 2452-3                                       | 1 | 00 |
| Fee for Inspecting Beneficial Use, and Issuing Water License No. 2452-3                                             |   |    |
| Fee for issuing Location Certificate-Dry Draw, No. _____                                                            |   |    |
| Fee for filing _____                                                                                                |   |    |
| Fee for certified copy of _____                                                                                     |   |    |
| Fee for Print copy of map _____                                                                                     |   |    |
| Fee for Certifying _____                                                                                            |   |    |
| Fee for _____<br>(any other work as provided by law)                                                                |   |    |
| TOTAL                                                                                                               | 1 | 00 |

WATER RIGHTS COMMISSION

By *(Signature)*  
Chief Engineer, Executive Officer  
JOHN HATCH

Permit No. 2-452-3Water Division 3 Missouri River Water District

**REPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Gordon  
Mc Cann of Springfield, South Dakota 57062 holder  
of Permit No. 2-452-3, bearing date of priority of November 7, 1975  
authorizing the diversion of 2.6 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:

Engine, Allis Chalmers, 2800, 6 cyl. Diesel  
Engine Catalog # 4021300, Ser # 2 D 12878  
Pump, Berkeley, Model B4JQEM, Ser # 7616563  
Pumping 1200 gpm.

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

2000 ft 10" Alum Alums & Coated Pipe  
4100 ft 8" Alum Alums & Coated Pipe

## C. Works used to apply water to beneficial use.

Gated Pipe & FloodThe system is in the following condition: Good

The point of diversion is located 500 ft S and 30 ft E of the N.W. Cor  
Sec. 15, T93N R59E

The works are capable of diverting and conveying to the place of use 2.67  
cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: The following in Sec 9 T93N R59ENE 1/4 NW 1/4 - 4 Ac, SE 1/4 NW 1/4 - 4 Ac, NW 1/4 SE 1/4 - 4 Ac, SW 1/4 SE 1/4 - 36 Ac.The following in Sec. 15, T93N R59E: NW 1/4 NW 1/4 - 10 Ac, E 1/2 NW 1/4 - 1 Ac.

The following in Sec. 16, T93N R59E: NW 1/4 NE 1/4 - 2.2 Ac  
NE 1/4 NE 1/4 - 2.2 Ac, SW 1/4 NE 1/4 - 4 Ac.

comprising a total of 155 acres of land.Date October 2, 1979

Larry J. McManis  
(Signature)



2452-3

# Department of Water & Natural Resources

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

January 29, 1988

GORDON MCCANN  
BOX 226  
SPRINGFIELD, SD 57062

## NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation  
Questionnaire

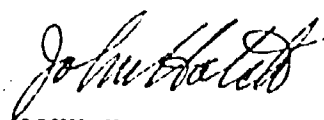
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit Nos. 420-3, 2140-3, and 2452-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires 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

# Department of Natural Resources

kota 7501-3181

ry 8, 1989

MCCANN, RENTER

26

SPRINGFIELD, SD 57062

## NOTICE

### Violation of Requirement to Submit 1988 Irrigation Questionnaire

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 made 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 a hearing to be held by the Board to determine if any action is to be taken concerning the violation.

Hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Sevel 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, 46-2-6, 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;

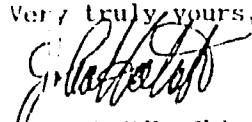
2. Postpone any action;

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,

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

cc: Gordon McCann  
Box 226  
Springfield SD 57062





2452-3

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

2452-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

February 25, 1994

422-3  
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

**STATE OF SOUTH DAKOTA  
REISSUED WATER LICENSE NO. 2452-3**

(1) Gordon McCann of Box 226, Springfield, SD 57062 was issued Water License No. 2452-3, March 25, 1980 for a water right to appropriate 2.20 cubic feet of water per second from the Missouri River, Bon Homme County, South Dakota for irrigation purposes. Water License No. 2452-3, with a priority date of November 7, 1975 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

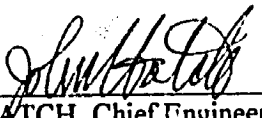
The water license issued March 25, 1980 contained an error in the legal description of acreage irrigated in Section 9, T93N, R59W. A review of the permit, license, inspection report and map found the acreage described as being in the E 1/2 NW 1/4 Section 9, should have been described as the E 1/2 SW 1/4 Section 9. The water license is being reissued to correct this error. Reissuance of the water license does not alter the remaining portions of the water license.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.20 cubic feet of water per second for beneficial use. The location of the diversion point is a point 800 feet south and 30 feet east of the NW corner of Section 15, T93N, R59W (NW 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: 155 acres - all in T93N, R59W

| Section 9     |            | Section 15    |            | Section 16    |            |
|---------------|------------|---------------|------------|---------------|------------|
| NE 1/4 SW 1/4 | 4.0 acres  | NW 1/4 NW 1/4 | 15.0 acres | NW 1/4 NE 1/4 | 22.0 acres |
| SE 1/4 SW 1/4 | 4.0 acres  | NE 1/4 NW 1/4 | 1.0 acre   | NE 1/4 NE 1/4 | 29.0 acres |
| NW 1/4 SE 1/4 | 40.0 acres |               |            | SW 1/4 NE 1/4 | 4.0 acres  |
| SW 1/4 SE 1/4 | 36.0 acres |               |            |               |            |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gordon McCann of Box 226, Springfield, SD 57062 the holder and/or owner of Water Permit No. 2452-3 is issued a license to appropriate water, the right to use 2.20 cubic feet of water per second from the Missouri River with a priority date of November 7, 1975 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2452-3 and subject to South Dakota State Law.

  
\_\_\_\_\_  
JOHN HATCH, Chief Engineer  
Water Rights Division  
Department of Environment and Natural Resources

SEP 6 1985  
\_\_\_\_\_  
date



SEP 6 1995

2452-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

2452-3

Gordon McCann  
Box 226  
Springfield, SD 57062

Dear Mr. McCann:

Enclosed is Reissued Water License No. 2452-3. The water license has been reissued to correct an error found in the legal description of the acreage irrigated. Reissuance of the license does not alter the remaining portions of the water license.

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

Very truly yours,

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

gm  
enclosures



2452-3

**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



2452-3

**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,

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

2452-3

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 | 3300 | 578.75   | 128.3 | 17.54     | 4.51    |
| AUG 96 | 2600 | 261.81   | 105.7 | 10.07     | 2.48    |
| JUL 96 | 2000 | 228.19   | 78.9  | 11.41     | 2.89    |
| TOTAL  | 7900 | 1,068.75 | 312.9 | 13.53     | 3.42    |

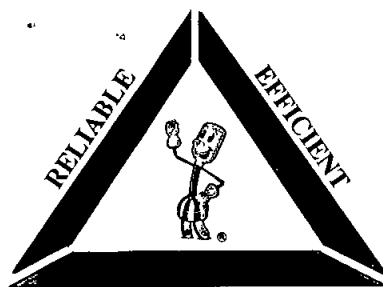
&lt; - - - - - LOAD CONTROL SAVINGS - - - - - &gt;

| CUT    | CONTROL | NOT CONTROL | POSSIBLE SAVINGS | ACTUAL SAVINGS |
|--------|---------|-------------|------------------|----------------|
| SEP 96 |         |             |                  |                |
| AUG 96 | NO      | 261.81      | 327.03           | 65.22          |
| JUL 96 | NO      | 228.19      | 292.16           | 63.97          |
| TOTAL  |         | 490.00      | 619.19           | 129.19         |

## 1996 IRRIGATION SEASON SUMMARY

|          | 93-59-11-7 |        |        | TOTAL HP 50/50 SPLIT |        |        |         |
|----------|------------|--------|--------|----------------------|--------|--------|---------|
| MONTH--- | OCT 96     | SEP 96 | AUG 96 | JUL 96               | JUN 96 | MAY 96 | TOTALS  |
| HOURS--- | .0         | 128.3  | 105.7  | 78.9                 | .0     | .0     | 312.9   |
| KW-----  | .0         | 26.8   | 26.1   | 25.6                 | .0     | .0     |         |
| KW CHG-- | .00        | 130.01 | 126.61 | 124.19               | .00    | .00    | 380.81  |
| KWH----- |            | 3300   | 2600   | 2000                 |        |        | 7900    |
| KWH CHG  | .00        | 171.60 | 135.20 | 104.00               | .00    | .00    | 410.80  |
| PENALTY  | .00        | .00    | .00    | .00                  | .00    | .00    |         |
| SALES--- | .00        | 578.75 | 261.81 | 228.19               | .00    | .00    | 1068.75 |

Member Owned



**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

SERVICE  
5017950-002

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

**1999 Irrigation Summary**

| Date          | Beg Read | End Read | KWH   | KWH Chg    | KW   | KW Chg   | Total Charges | Payments   | Balance    |
|---------------|----------|----------|-------|------------|------|----------|---------------|------------|------------|
| 7-1999        | 0        | 261      | 10440 | \$539.08   | 82.0 | \$397.70 | \$936.78      | \$374.71   | \$562.07   |
| 8-1999        | 261      | 1030     | 30760 | \$1,194.32 | 84.0 | \$407.40 | \$1,601.72    | \$640.68   | \$1,523.11 |
| 8-1999        | 1030     | 1030     | 0     | \$6.79     |      |          | \$6.79        | \$1,523.11 | \$6.79     |
| <b>Totals</b> |          |          | 41200 | \$1,740.19 |      | \$805.10 | \$2,545.29    | \$2,538.50 | \$6.79     |

**Annual Minimum \$14.25/HP: 160 \$2,280.00**

**Minimum Adjustment \$0.00**

**Total Amount Due**

|             |               |                 |                 |                  |
|-------------|---------------|-----------------|-----------------|------------------|
| 5017950-002 | <b>Motor#</b> | <b>Beg Read</b> | <b>End Read</b> | <b>Hours Run</b> |
|             | 1             | 10794           | 11165           | 371              |
|             | 2             | 9704            | 9957            | 253              |

2452-3



2452-3  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 14, 2000

**NOTICE**

**TO:** 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.



2452-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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



2452-3  
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/denn](http://www.state.sd.us/denn)

February 1, 2001

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

Greg McCann  
41876 Apple Tree Rd  
Springfield, SD 57062-6610

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.

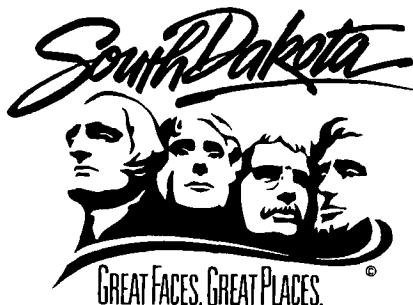
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gordon McCann



2452-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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



2452-3  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

3-125

1000' 8" Alum

16.2

Flood

NE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
1. AC.

NW  $\frac{1}{4}$  NW  $\frac{1}{4}$   
15 AC

AREA TO BE IRRIGATED  
OUTLINED IN BLUE

15

Floyd D Watson  
SCS

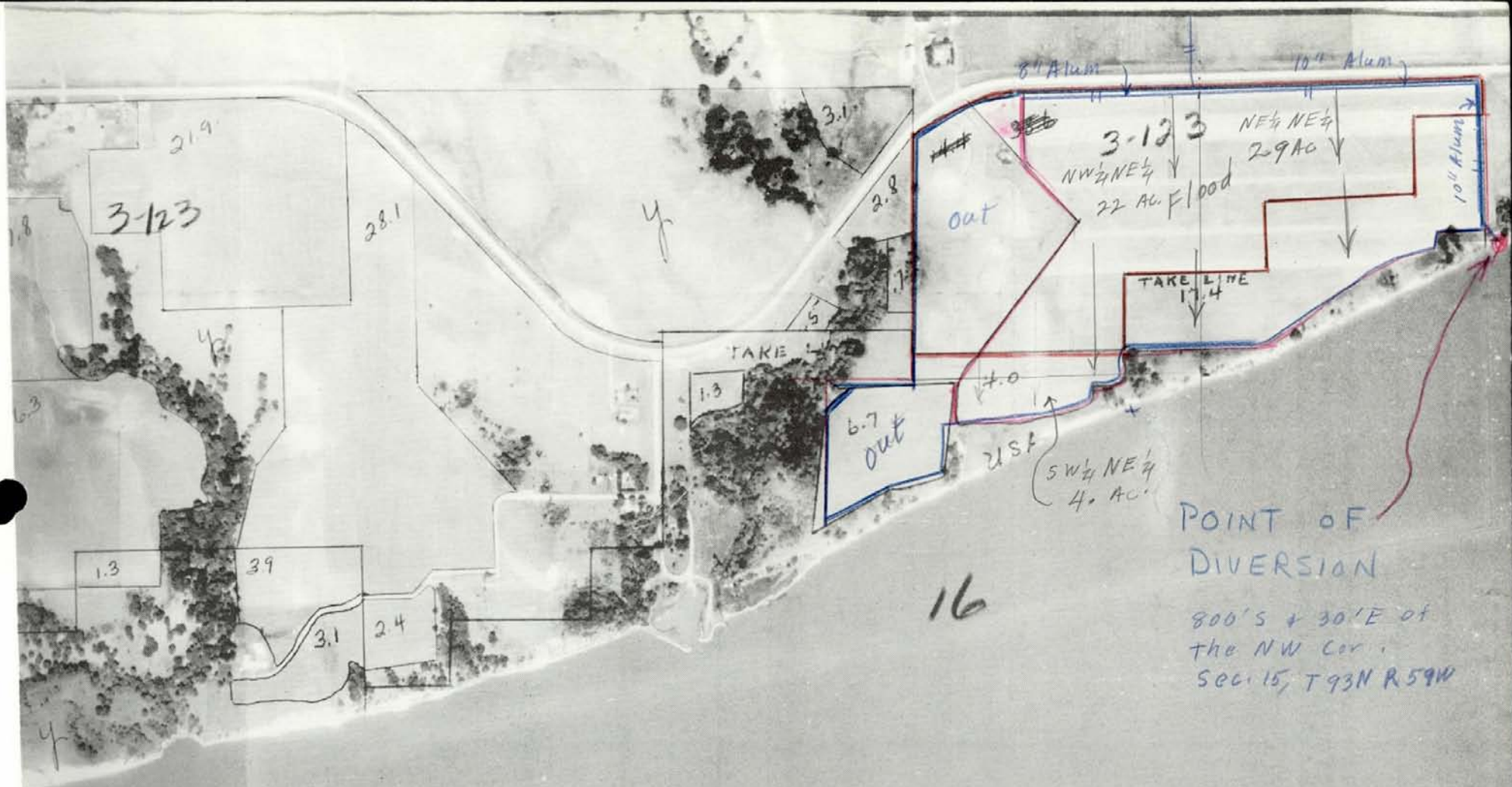
3-59

HEIP

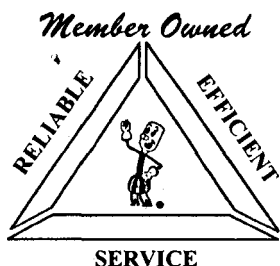
MAP N<sup>o</sup> 1819-3 APPL N<sup>o</sup> 2452-3

NOT TO SCALE





Floyd A Watson  
SCS



# 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

10/6/2006

MCCANN, GREGORY C  
41876 APPLE TREE RD

Account#: 5018200-009

Annual Minimum: \$570.00

SPRINGFIELD, SD 570629801

HorsePower: 40

## 2006 Irrigation Season Summary and Minimum Adjustment

5018200-009

| Date             | Present Reading | Previous Reading | KWH    | KWHS     | KW Demand | KWS      | Tax    | Total      |
|------------------|-----------------|------------------|--------|----------|-----------|----------|--------|------------|
| 7-2006 1 Charges | 22690           | 11326            | 11,364 | \$511.38 | 35.39     | \$221.19 | \$0.00 | \$732.57   |
| 8-2006 3 Payment |                 |                  |        |          |           |          |        | (\$732.57) |
| 8-2006 1 Charges | 30770           | 22690            | 8,080  | \$363.60 | 33.92     | \$212.00 | \$0.00 | \$575.60   |
| 9-2006 3 Payment |                 |                  |        |          |           |          |        | (\$575.60) |
| <b>Totals</b>    |                 |                  | 19,444 | \$874.98 | 69        | \$433.19 | \$0.00 | \$0.00     |

Total Charges \$1,308.17

Total Adjustments \$0.00

Total Sales 2006 \$1,308.17

Minimum Adjustment \$0.00

Total with Adjustment \$1,308.17

Penalties \$0.00

Total Payments (\$1,308.17)

**Total Amount Due \$0.00**

Payment Due by 10/25/06

### Hour Readings

|             |        |          |          |           |
|-------------|--------|----------|----------|-----------|
| 5018200-009 | Motor# | Beg Read | End Read | Hours Run |
|             | 1      | 1253     | 1792     | 539       |

RECEIVED

DEC 22 2006

WATER RIGHTS  
PROGRAM



A Touchstone Energy® Cooperative





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

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

enclosures



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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](mailto: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](http://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](mailto: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. 2452-3

Date: \_\_\_\_\_

I/We request that Water Right No. 2452-3

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:

**155 acres – E ½ NW ¼, W ½ SE ¼ Section 9; N ½ NW ¼ Section 15; N ½ NE ¼ & SW ¼ NE ¼**

**Section 16 all in T93N, R59W**

I/We understand that the validity of Water Right No. 2452-3 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

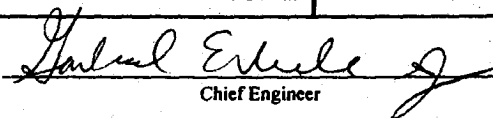
RECEIVED OF Gregory McCann 31133 Bon Homme Rd Tabor SD 57063

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>2452-3</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 | 50 00 |

No.

04476

By   
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](http://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.

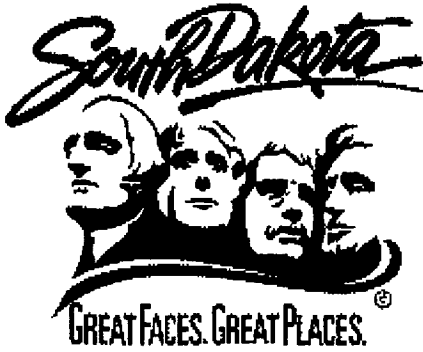
The transfer of ownership forms were signed but were not completed. I can type in the information for you but noticed your check came from a different address than what we have been using for past mailings. Do you want us to use: 41876 Apple Tree Rd, Springfield, SD or 31133 Bon Homme Rd, Tabor SD?

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,

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](mailto: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](http://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](mailto:genny.mcmath@state.sd.us)

enclosures



2452-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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](mailto: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.



2452-3  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://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 black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



2452-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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](mailto: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](mailto:genny.mcmath@state.sd.us)

5447-3



**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](mailto:Genny.mcmath@state.sd.us)

enclosures

Feb 2021

Ms Mc Math,

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 *My McAnn*

IRISH BLESSING:

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



2452-3

**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>2452-3</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  
*one*

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. 2452-3

Date: 2-16-2021

I/We request that Water Right No. 2452-3

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:

**155 acres – E ½ NW ¼, W ½ SE ¼ Section 9, N ½ NW ¼ Section 15, N ½ NE ¼ & SW ¼ NE ¼**

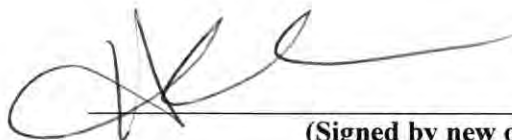
**Section 16, all in T93N, R59W**

I/We understand that the validity of Water Right No. 2452-3 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.



2452-3



**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, appearing to read "Genny McMath".

Genny McMath  
Water Rights Program  
605 773-3352  
[Genny.mcmath@state.sd.us](mailto: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

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](mailto: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](mailto: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](mailto:Shannon.konst@state.sd.us)