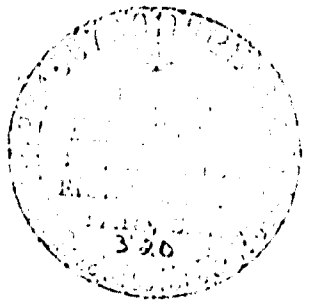


Map No. 1908-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant H. A. Poindexter
 Postoffice address Miller, S.D., State SD, DAK
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and direct labor
 3. Name of diversion work Storage Reservoir
 4. Amount of water claimed (cubic feet per second) ~~2.2 p c.f.s.~~ 2.2 p c.f.s.
 5. Source of water supply Spring and runoff.
 6. Location of point of diversion (Spring) 110rds. N. 1rd. E, Sw 1/4 25- 112-69 (Dam) 115 rds. N; 110rds. E, Sw 1/4 15-112- 69.
 County Hand
 7. Annual period or periods during which water is to be used June - September
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrig.
 9. For irrigation use, Total number of acres to be irrigated 320

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 1/4 Sec 24 24- 112-69	40	NE 1/4 SEC. 24 T 112 N.	
Se 1/4 SE 1/4 24 - 112- 69	40	R. 49 W	160
NW 1/4 SE 1/4 24- 112-69	40		
NE 1/4 SE 1/4 24- 112-69	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication MILLER PRESS, MILLER, S.D.
 12. Principal Features of the Proposed Water Supply System.

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

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

~~PIPE AND DITCH~~ PIPE AND DITCH

C. Works proposed to apply water to beneficial use.
GRAVITY FLOW

Estimated Total Cost \$ 10,000.00

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

County of Hand

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

Signed H.A. PoindexterSubscribed and sworn to before me this 10 day of February, 1976

Bernie Talkinham
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2537-3
H.A. POINDEXTER STAR RTs #4, MILLER
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57362 With the following modifications:
 (State)

Date of first receipt of application FEBRUARY 10, 1976
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved MARCH 17, 1976, Recorded in Book 15 Page 61

WATER RIGHT PERMIT NO. 2537-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2537-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 10, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17, 1978
3. The whole of said work is to be completed on or before MARCH 17, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17, 1982
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 17, 1982; said water to be used during the following described annual period: JUNE - SEPTEMBER

Witness my hand this 7TH day of APRIL, 1976

WATER RIGHTS COMMISSION

By:

John H. Hutton
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel etc)
- (3) Perforated Screen
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill Out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water Bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

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

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The

location of each water storage dam should be shown on the water right map.

DAM # 1 Height- 28 '
Max. Water Depth- 2 1/2 '
Surface Area - 6 ac.
Storage Capacity 63 ac. Ft.

1 1/4 rds. N; 1 1/2 rds. E. SW 1/4 25- 112- 69

Dam # 2 Height - 20 '
Max. Water Depth - 16 '
Surface area - 2 ac.
Storage Capacity- 20 ac. ft.

90 rds W; 10 rds. S. NE 1/4 - 25- 112 -69

N. F. P. ...
Signature of Applicant

Conservation
Commission
Form W1 #1

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: _____

Disapproved: _____

NAME: H.A. POINDEXTER

ADDRESS: MILLER, S.D.

COUNTY: _____

LEGAL DESCRIPTION

1. ~~WELL~~ LOCATION: Spring, Sw¹/₄ 25 - 112 - 69

2. AREA TO BE IRRIGATED: SE¹/₄ 20 - 112 - 69

TYPE OF IRRIGATION

3. GRAVITY ☒ SPRINKLER (Indicate Type): _____

4. CROPS TO BE IRRIGATED: Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 1%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: IIs1 LaDelle Silty Clay
loam. 0.5 intake family.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: _____

8. SALINITY: _____

9. SODIUM: _____

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
Soil Conservation Service, Hand Co.

and:

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

H. A. Fox-Rafter

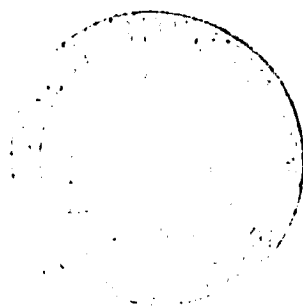
Subscribed and sworn before me this

10 day of Feb 19 76.

Ronnie Fackelman

Notary Public

(Title)



Publish first publication, on or before KE March 4, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 19, 1976H. A. Poindexter

Notice is hereby given that

whose post office address is Miller, 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 use2.28 cubic feet of water per second of time from the springs & runoff through thePoindexter Storage Reservoirs, the point of diversion of which is to be located in theNE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Twp. 112N, Range 69W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:E $\frac{1}{2}$, Section 24, T112N, R69W

This application No. 2537-3 will be considered by the Water Rights Commission at their office at Pierre upon the 17th day of March, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

H. A. Poindexter, Star Route #4, Miller, S.D. 57362

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

No. 2537-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Hand)

I, Robert H. McFarlane hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Miller Press

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

City of Miller

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

March 4, 1976

March 11, 1976

Robert H. McFarlane
(Signature)

Publisher
(Title)

March 22, 1976
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

February 19, 1976

Notice is hereby given that
H. A. Poindexter whose post
office address is Miller, South
Dakota, has made an applica-
tion in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.28 cubic feet of water per
second of time from springs &
runoff through the Poindexter
Storage Reservoirs, the point
of diversion of which is to be
located in the NE¹/₄, SW¹/₄, and
the NW¹/₄, NE¹/₄ of Section 25,
Twp. 112N, Range 69W. Said
water to be used for the
purpose of providing irrigation
on portions of the following
described land: E¹/₂, Section
24, T112N, R69W.

This application No. 2537-3
will be considered by the
Water Rights Commission at
their office at Pierre upon the
17th day of March, 1976, at 1:00
P.M. All interested persons
may appear and be heard.

WATER RESOURCES
COMMISSION

By: Burton F. Jones,
Water Rights
Specialist

FPNO 21

LPNO 25



Permit No. 25.37-3James River Water District
10160009**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by H.A. Peindexter
Star Rt. #4 Boys of Miller, SD 57362 holder of
 Permit No. 25.37-3, bearing the priority of February 10, 1976 authorizing
 the diversion of 2.28 cu. ft. per second of the waters of two storage reservoirs
 for irrigation purposes, in Hand County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Dam #1 Height - 28'

Max. Depth - 24'

Surface Area - 6 acres

Storage - 63 ac.-ft.

Dam #2 Height - 20'

Max. Depth - 16'

Surface Area - 2 acres

Storage - 20 ac.-ft.

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

300' of buried 8" PVC pipe

C. Works used to apply water to beneficial use:

1800' of 8" gated PVC pipe

40" spacing of gates

The system is in the following condition good

The point of diversion is located Dams - both in Sec. 25 - T112N-R69W, Dam #1 -
2500' N & 1700' E of SW 1/4 of Section, Dam #2 - 1550' W & 150' S of
NE 1/4 of Section.

The works are capable of diverting and conveying to the place of use 2.28cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: Sec. 24 - T112N-R69WNW 1/4 SE 1/4 - 40 acresNE 1/4 SE 1/4 - 40 acresSE 1/4 SE 1/4 - 30 acresSW 1/4 SE 1/4 - 40 acrescomprising a total of 150 acres of land and the license should be issued for 2.14 2.28 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date April 1, 1987James L. Winkler
(Signature)

4-1-87
JLW

LICENSE FOR PERMIT NUMBER 2537-3 Pointdexter

1. Legal location of wells: _____

dams & structures: N 1/4 SW 1/4 4- NW 1/4 NE 1/4 25-112-69

2. Well Information: Well Drilling Firm _____

No. of wells _____

Depth _____

Casing a) diameter _____

b) length _____

c) type _____

Screen a) type _____

b) length _____

Static Water Level _____

Pump

a) make _____

b) model _____

c) size _____

d) capacity _____ GPM

e) turbine pump

no. of stages _____

Motor a) make _____

b) model no. _____

c) horsepower rating _____

d) motor efficiency rating _____

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

4. Dam information:

a) height to crest 28' (20')

b) height to spillway 23' (15')

c) crest width 12' (12')

d) crest length 500' (250')

e) spillway length _____

f) spillway width — (25')

g) approx. storage 63,000 gal. (20 ac.-ft.)

h) Distribution lines or canals:

1) size 8"

2) type PVC

3) length 300'

i) Outlet tubes:

1) diameter 8"

2) type PVC

3) valued (BYN)

4) valve type _____

5) location on structure _____

24' deep

(16' deep)

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

L

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length 1800'
- 2) diameter 8"
- 3) spacing of gates 40"

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO

☒ ☐
☐ ☐
☒ ☐
☐ ☐

Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 2537-3

April 14, 1987

H. A. Poindexter
SR 4, Box 8
Miller, South Dakota 57362

Dear Mr. Poindexter:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 2537-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410822

Pierre, April 17, 1987, 19

RECEIVED OF H. A. Poindexter, HCR 4, Box 8, Miller, SD 57362

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. 2537-3	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch
Chief Engineer JOHN HATCH (RS)

State of South Dakota
Water License No. 2537-3

(1) H. A. Poindexter

of Star Route 4, Box 8, Miller, South Dakota 57362

made Application No. 2537-3, February 10, 1976 for a water permit to appropriate

2.28 cubic feet per second of water from springs & runoff (storage dams),

Hand County, South Dakota for irrigation purposes.

Permit No. 2537-3, with a priority date of February 10, 1976

was approved March 17, 1976 and issued to applicant(s) for diversion of water with construction of the described

water supply system to be completed on or before March 17, 1981 and for the application to beneficial use of said

water on or before March 17, 1982.

and

(2) It is certified that the application 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 2.14 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is are *Dam #1 - 2500'N and 1700'E of the

SW $\frac{1}{4}$ Section 25; *Dam #2 - 1550'W and 150'S of the NE $\frac{1}{4}$ Section 25.

Dam #1 is capable of storing 63 acre feet of water

Dam #2 is capable of storing 20 acre feet of water

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T112N, R69W.

Section 24 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 Acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 Acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 Acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 Acres

TOTAL 150 ACRES

(4) Pursuant to §46-5-30.1 H. A. Poindexter

of Star Route 4, Box 8, Miller, South Dakota 57362

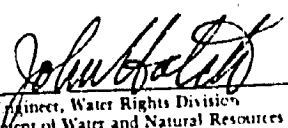
the holder(s) and/or owner(s) of Water Permit No. 2537-3 is issued a license to appropriate water, the right to use

2.14 cubic feet per second of water from two storage dams with a priority date

of February 10, 1976 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. 2537-3 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

NOV 2 1987

SOUTH
Dakota

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 2537-3

NOV 2 1987

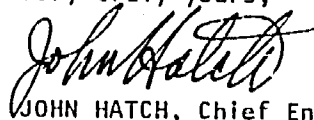
H. A. Poindexter
SR 4, Box 8
Miller, South Dakota 57362

Dear Mr. Poindexter:

Enclosed herewith is, Water License No. 2537-3. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 1, 1991

H A FOINDEXTER
HCR 4 BOX 8
MILLER SD 57362

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2537-3. 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 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

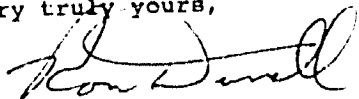
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 2537-3 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, 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 - 4 which are indicated by asterisks and complete items 3 and 4.

Put your address in the "RETURN TO" box. If you are the insured, be sure to add "insured" and "paid" to this card from being returned to you. The return receipt for weight and the name of the person delivering it to and the date of delivery. For additional fees the following services are available and must be indicated for fees and check boxes for additional services requested.

1. ☒ Show to whom delivered, date, and address of address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to

**H A POINDEXTER
HCR 4 BOX 8
MILLER SD 57362**

4. Article Number
P 694 057 319

5. Signature - Addressee
☒ *Jackie Poindexter*

6. Signature - Agent
☒

7. Date of Delivery
2-4-91

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

9. Signature of Addressee (if agent and DATE DELIVERED)

10. Signature of Agent (if agent and DATE DELIVERED)

11. Signature of Addressee (if agent and DATE DELIVERED)

12. Signature of Agent (if agent and DATE DELIVERED)

13. Signature of Addressee (if agent and DATE DELIVERED)

14. Signature of Agent (if agent and DATE DELIVERED)

15. Signature of Addressee (if agent and DATE DELIVERED)

16. Signature of Agent (if agent and DATE DELIVERED)

17. Signature of Addressee (if agent and DATE DELIVERED)

18. Signature of Agent (if agent and DATE DELIVERED)

19. Signature of Addressee (if agent and DATE DELIVERED)

20. Signature of Agent (if agent and DATE DELIVERED)

21. Signature of Addressee (if agent and DATE DELIVERED)

22. Signature of Agent (if agent and DATE DELIVERED)

23. Signature of Addressee (if agent and DATE DELIVERED)

24. Signature of Agent (if agent and DATE DELIVERED)

25. Signature of Addressee (if agent and DATE DELIVERED)

26. Signature of Agent (if agent and DATE DELIVERED)

27. Signature of Addressee (if agent and DATE DELIVERED)

28. Signature of Agent (if agent and DATE DELIVERED)

29. Signature of Addressee (if agent and DATE DELIVERED)

30. Signature of Agent (if agent and DATE DELIVERED)

31. Signature of Addressee (if agent and DATE DELIVERED)

32. Signature of Agent (if agent and DATE DELIVERED)

33. Signature of Addressee (if agent and DATE DELIVERED)

34. Signature of Agent (if agent and DATE DELIVERED)

35. Signature of Addressee (if agent and DATE DELIVERED)

36. Signature of Agent (if agent and DATE DELIVERED)

37. Signature of Addressee (if agent and DATE DELIVERED)

38. Signature of Agent (if agent and DATE DELIVERED)

39. Signature of Addressee (if agent and DATE DELIVERED)

40. Signature of Agent (if agent and DATE DELIVERED)

41. Signature of Addressee (if agent and DATE DELIVERED)

42. Signature of Agent (if agent and DATE DELIVERED)

43. Signature of Addressee (if agent and DATE DELIVERED)

44. Signature of Agent (if agent and DATE DELIVERED)

45. Signature of Addressee (if agent and DATE DELIVERED)

46. Signature of Agent (if agent and DATE DELIVERED)

47. Signature of Addressee (if agent and DATE DELIVERED)

48. Signature of Agent (if agent and DATE DELIVERED)

49. Signature of Addressee (if agent and DATE DELIVERED)

50. Signature of Agent (if agent and DATE DELIVERED)

51. Signature of Addressee (if agent and DATE DELIVERED)

52. Signature of Agent (if agent and DATE DELIVERED)

53. Signature of Addressee (if agent and DATE DELIVERED)

54. Signature of Agent (if agent and DATE DELIVERED)

55. Signature of Addressee (if agent and DATE DELIVERED)

56. Signature of Agent (if agent and DATE DELIVERED)

57. Signature of Addressee (if agent and DATE DELIVERED)

58. Signature of Agent (if agent and DATE DELIVERED)

59. Signature of Addressee (if agent and DATE DELIVERED)

60. Signature of Agent (if agent and DATE DELIVERED)

61. Signature of Addressee (if agent and DATE DELIVERED)

62. Signature of Agent (if agent and DATE DELIVERED)

63. Signature of Addressee (if agent and DATE DELIVERED)

64. Signature of Agent (if agent and DATE DELIVERED)

65. Signature of Addressee (if agent and DATE DELIVERED)

66. Signature of Agent (if agent and DATE DELIVERED)

67. Signature of Addressee (if agent and DATE DELIVERED)

68. Signature of Agent (if agent and DATE DELIVERED)

69. Signature of Addressee (if agent and DATE DELIVERED)

70. Signature of Agent (if agent and DATE DELIVERED)

71. Signature of Addressee (if agent and DATE DELIVERED)

72. Signature of Agent (if agent and DATE DELIVERED)

73. Signature of Addressee (if agent and DATE DELIVERED)

74. Signature of Agent (if agent and DATE DELIVERED)

75. Signature of Addressee (if agent and DATE DELIVERED)

76. Signature of Agent (if agent and DATE DELIVERED)

77. Signature of Addressee (if agent and DATE DELIVERED)

78. Signature of Agent (if agent and DATE DELIVERED)

79. Signature of Addressee (if agent and DATE DELIVERED)

80. Signature of Agent (if agent and DATE DELIVERED)

81. Signature of Addressee (if agent and DATE DELIVERED)

82. Signature of Agent (if agent and DATE DELIVERED)

83. Signature of Addressee (if agent and DATE DELIVERED)

84. Signature of Agent (if agent and DATE DELIVERED)

85. Signature of Addressee (if agent and DATE DELIVERED)

86. Signature of Agent (if agent and DATE DELIVERED)

87. Signature of Addressee (if agent and DATE DELIVERED)

88. Signature of Agent (if agent and DATE DELIVERED)

89. Signature of Addressee (if agent and DATE DELIVERED)

90. Signature of Agent (if agent and DATE DELIVERED)

91. Signature of Addressee (if agent and DATE DELIVERED)

92. Signature of Agent (if agent and DATE DELIVERED)

93. Signature of Addressee (if agent and DATE DELIVERED)

94. Signature of Agent (if agent and DATE DELIVERED)

95. Signature of Addressee (if agent and DATE DELIVERED)

96. Signature of Agent (if agent and DATE DELIVERED)

97. Signature of Addressee (if agent and DATE DELIVERED)

98. Signature of Agent (if agent and DATE DELIVERED)

99. Signature of Addressee (if agent and DATE DELIVERED)

100. Signature of Agent (if agent and DATE DELIVERED)

PS Form 3811, Apr 1984

U.S. POSTAL SERVICE

DOMESTIC RETURN RECEIPT

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 12, 1991

2537-3

H A Poindexter
HCR 4 Box 8
Miller, SD 57362

Dear Mr. Poindexter:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Permit No. 2537-3. 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



2537-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3101

February 7, 1995

H A POINDEXTER
HC 64 BOX 8
MILLER SD 57362

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 2537-3. 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 hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 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. Following the hearing, the Water Management Board can:

1. Amend Permit No 2537-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 is received in this office on/or before March 3, 1995 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:

2537-3

H A POINDEXTER
HC 64 BOX 8
MILLER, SD 57362

4a. Article Number

P 837 692 683

4b. Service Type

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

7. Date of Delivery

2/8/95

5. Signature (Addressee)

6. Signature (Agent)

Herry Poindexter

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

PS Form 3811, December 1991 * U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

2537-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 1995

2537-3

H A Poindexter
HC 64 Box 8
Miller, SD 57362

Dear Mr. Poindexter:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, **Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.**

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, which appears to read 'Genny McMath'.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 6, 1999

2537-3

Jerry Poindexter
35590 200th St
Miller, SD 57362

Dear Mr. Poindexter:

Thank you for returning the 1999 irrigation questionnaire for Water Right No. 2537-3. It is my understanding from the notation you made on the form that you wish to have the water right transferred to your name.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the change. Please review the form for accuracy and make any necessary corrections. 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. The check or money order for payment of the fee may be made payable to the "Water Rights Program".

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2537-3



Date: 12-20-99

I/We request that Water Right No. 2537-3

formerly owned by: H A Poindexter

be transferred to: (name & address) Jerry Poindexter, 35590 200th St, Miller, SD 57362

Telephone No. (605) 853-2650

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

150 acres in the SE 1/4 Section 24, T112N, R69W

I/We understand that the validity of Water Right No. 2537-3 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 Hand)

I/We Jerry Poindexter 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.

Jerry Poindexter
(Signed)

Subscribed and sworn to before me this 20 day of December, 19 99.

Lianne L Englecke
(Notary Public)

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

NE 416336

RECEIVED OF Jerry Poindexter, 35590 200th St., Miller, SD 57362 Pierre, January 7, 2000
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. 2537-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2000

2537-3

Jerry Poindexter
35590 200th St
Miller, SD 57362

Dear Mr. Poindexter:

This will acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for transferring Water Right No. 2537-3. The transfer has been completed and the water right is now listed in your name.

Enclosed is your Receipt No. 416336 in the amount of \$2.50. You may keep this for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

HD-18

November 1980

For Dept. use only

5

Please fill out and return at once

No. Acres irrigated with Surface Water

20

2	
---	--

If you did not irrigate during 1980-check this box

☐ No system ☐

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	_____	_____ kWh
2. Gravity	_____ <u>2.1</u>	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____
Type of System		
1. Hand Moved Sprinklers	_____	_____
2. Portable booms	_____	_____
3. Center pivots (# of)	_____	_____
4. gated pipes	_____ <u>1</u>	_____
5. Sidewheel	_____	_____
6. Towlines	_____	_____
7. Gun type	_____	_____
8. hydromatic	_____	_____
9. Siphons	_____	_____
10. Flood	_____	_____
11. Other	_____	_____

[illegible]

Season Static Water Level: beginning and

Comments:

Complete and return to: WATER MANAGEMENT BOARD

Owner or address change, if any:

Please complete front and back.



WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss Building
Pierre SD 57501

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

1979

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric		_____ kwh
2. Gravity	<u>25</u>	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____

1978

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric		_____ kwh
2. Gravity	<u>30</u>	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline _____ gallons
diesel 7100 gallons
- What are your present plans for acres under irrigation for 1981?
☐ an increase in acres
☐ irrigate same acres
☒ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
☐ yes
☐ no
 B. If no, were you able to buy from other sources?
☐ yes
☐ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-

10% yes ☒	20% yes ☒
no ☐	no ☐
15% yes ☒	over 20% yes ☒
no ☐	no ☐
- At what price for fuel would you cut back on irrigation activities? _____
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
 Dry summer: _____ gallons.
 Wet summer: 7100 gallons.

2537-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Jerry Poindexter, 35590 200th St, Miller SD 57362

DATE: May 19, 2003

TELEPHONE: 853-2650

RE: annual irrigation questionnaire

COMMENTS:

On the 2002 irrigation questionnaire, Mr. Poindexter indicated he irrigated 35 acres. He wrote in gated pipe as the method of irrigation. I reviewed his water right, the inspection report prepared at the time of licensing does not mention any sort of pumping equipment.

I called Mr. Poindexter to find out if he had any type of measuring device or pumping equipment. He said no – he flood irrigates using the gated pipe.

We discussed the annual questionnaire and I told him I would take him off the list of those needing to report water use each year. I also indicated that he would not jeopardize his water right by no longer having to fill out a form – as long as he continued to irrigate, he would maintain his water right.

RECOMMENDED ACTION:

Send him a follow-up letter discussing removal of the questionnaire and include information on maintaining his water right.


Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 2003

2537-3

Jerry Poindexter
35590 200th St
Miller SD 57362

Dear Mr. Poindexter:

I am writing to follow-up on our phone conversation concerning your water use system. In South Dakota, all irrigation permit holders, with the exception of those with water spreading systems are required to submit irrigation questionnaires each year.

During our conversation, you indicated you flood irrigate from your dams using gated pipe. In the absence of any sort of measuring device or pumping equipment, we would consider your type of system to be a water spreading system and therefore no yearly report would be required.

I am removing your name from the list of irrigators who need to submit an annual irrigation questionnaire. This does not jeopardize your water right. As long as you beneficially use the water, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

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

NOT TO SCALE

153.6

②
112-69
43.2 K-7⑤
58.8

T823

①
153.6②
24 155.2

T 1235

40

40

43.7

① (142.1)

42.8

55.6

112-69
K-7

③

142.3

142.3

34.7

③ 34.7

30

27.3

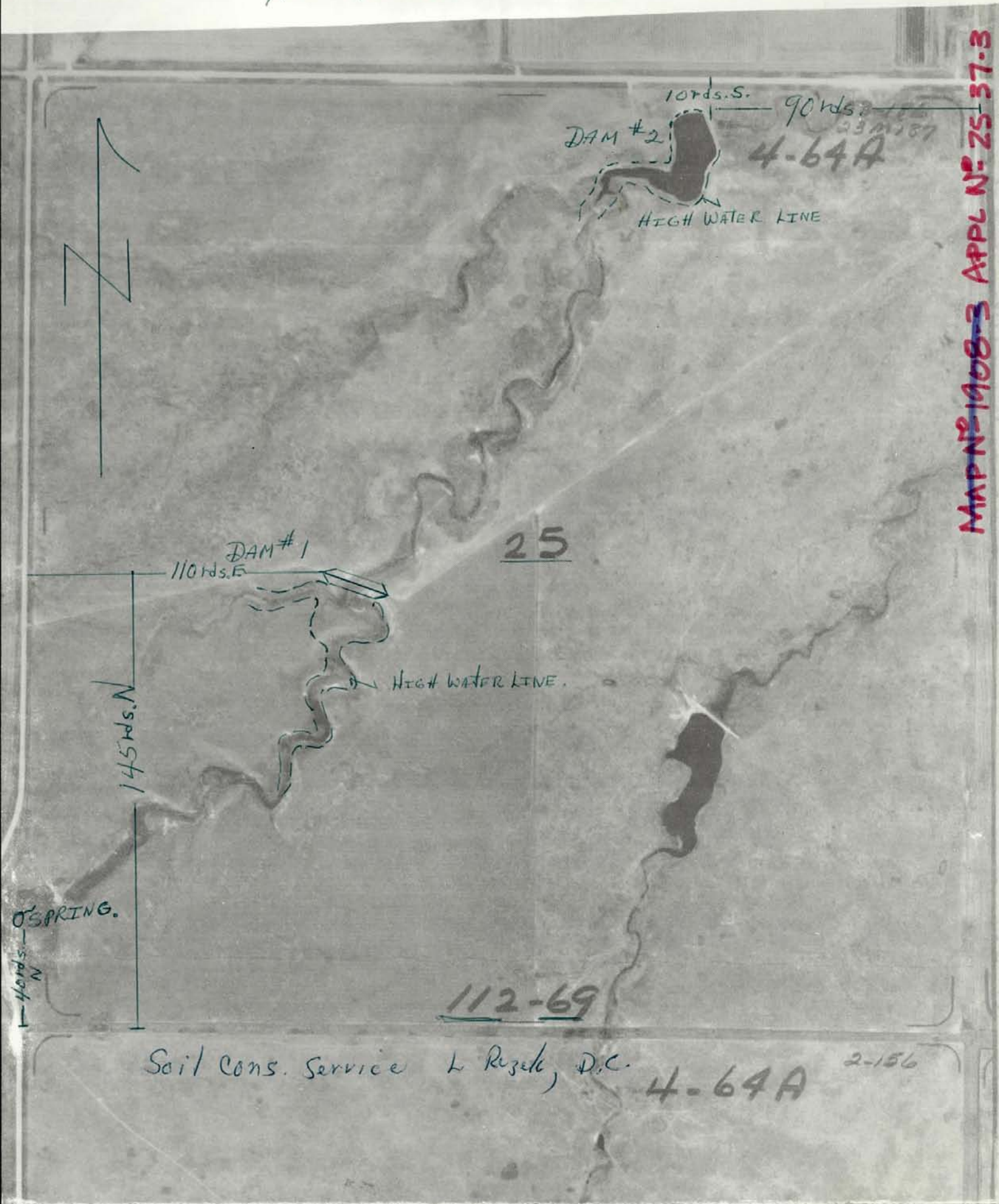
③ 27.3

Truss 12

James L. Wendt
Natural Resources Engineer
9-4-87

2537-3

H.A. Ponderer Irrig. HAND-CO.



H.A. Poindexter Irrig

HAND CO.

112-69

153.6

22.3

155.2

23-186
23M187

3-300

24

43.7

42.8

42.3

55.6

PIPE LINE

112-69

DITCH

Soil Cons. Service - L. Reget, D.C.