

Considered: _____

WATER PERMIT NO. 2592A-3

MAP No. Same

Name of Applicant Clayton Kloss

Post Office Address RT. 1 Box 9 Tulare S.D.

Amount of Water Claimed no add'l Total Acres see 2592-3

Source of Water Supply Groundwater (Tulare-Hitchcock)

Water to be used for IRR County Spink

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received LET 4-11-85 Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 2-14-85 Fee \$50.00 Remarks application

for change of diversion point and adding 3 wells

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point NE⁴NE⁴ sec. 31 T115N-R63W

#2592-3 authorized one well.

Land to be Irrigated covered by 2592-3

Well Log: Driller Huron Drly. Licensed YES X NO _____

Depth of Well 65 feet REMARKS well log dated 8-15-77

Type of Map Aerial PREPARED BY Ren. Duvall Reviewed and the Number

assigned on 3-20-85 By Kevin P. Larson

No. <u>259211-3</u>	Hydrologic Unit <u>10160006</u>
Map No. <u>Same</u>	Basin <u>James River</u>
Newspaper <u>Redfield Press Box 440 (Week)</u>	

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following;

New ☐ Vested Right ☐ Future Use ☐☒ Application to amend Permit No. 2592-3 with old priority date retained☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Change acreage ☐ Other ☐☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant Clayton Kloss Phone No. _____
- Post Office Address Box 9, RR 1, Tulare SD State 57476
(Street, RR or Box) Zip Code
2. Amount of water claimed (c.f.s) no add'l Total acres irrigated 140
3. Source of Water supply groundwater (Tulare-Hitchcock)
4. Location of point of diversion #1: 1122 ft W and 170 ft S; #2: 450 ft W and 165 ft S; #3: 200 ft W and 130 ft S; #4: 240 ft W and 70 ft S; all from the NE corner
Section 31, T115N, R63W County Spink
5. Counties where water will be used Spink
6. Annual period during which water is to be used April to October
7. 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.
NW $\frac{1}{4}$ Sec 31, T115N, R63W	4.0
SW $\frac{1}{4}$ "	28.0
NE $\frac{1}{4}$ "	16.0
SE $\frac{1}{4}$ "	92.0

Land Description	No. Acres Irr.
lands covered by 2592-3	

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Permit No. 2592-3 was inspected before the 5 year construction period ended.
This permit application amends permit No. 2592-3 by relocating the diversion point and adding three additional wells.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Spink)^{ss}

I, Clayton Kloss the applicant, certify that I have read the foregoing application, 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 Clayton KlossSubscribed and sworn to before me this 13th day of February 1985

Richard O. Quisenberry
Notary Public (or other qualified officer)

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 2592A-3, Clayton Kloss

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2592A-3, Clayton Kloss, Box 9, Rt 1, Tulare SD.

The Chief Engineer is recommending APPROVAL of Application No. 2592A-3 because 1) the proposed diversions can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
March 27, 1985

REPORT ON APPLICATION NO. 2592A-3

CLAYTON KLOSS

March 26, 1985

This application is to change the location of one well authorized by Permit No. 2592-3 and to add three additional wells. The additional wells are located in the NE 1/4 NE 1/4 Section 31, T115N, R63W. This application does not authorize any increase in the diversion rate authorized by Permit No. 2592-3.

Aquifer - Tulare-Hitchcock (T:H)

Geology and Aquifer Characteristics

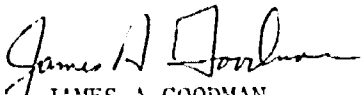
The Tulare Hitchcock is a Pliocene glacial (sand and gravel) aquifer under water table conditions in this area. The aquifer underlies 96,000 acres in southwestern Spink County and contains 360,000 acre feet of recoverable water (Hedges, Etal. 1982). Water Rights area observation wells do not fluctuate seasonally due to pumping, but only reflect wet and dry climatic extremes.

Review of Existing Water Permits

There is one existing permit about 1 mile from this application.

Conclusions

1. This application was inspected prior to the 5 year construction period, but was not licensed. Upon a final inspection by R. Duvall the system was found as this permit application requests. Because of the earlier inspection, this new application will retain the original priority date.
2. The aquifer is under water table conditions and interference is not likely.


JAMES A GOODMAN
Hydrologist III

Bibliography

Hedges, L.S., S.L. Burch, D.L. Illes, R.A. Barari, R.A. Schoon, 1982. Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, DWR, SDGS, Vermillion SD, 57069.

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 2592A-3
Clayton Kloss RT. 1 Box 9 Tulare
(Applicant) (Post Office Address)
South Dakota 57476 With the following qualifications.
(State) (Zip Code)

The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application February 14, 1985.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved May 15, 1985.

The Water Management Board hereby approves this Water Permit No. 2592A-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is February 26, 1976.
2. One-fifth of the work is to be completed on or before —, 19—.
3. The whole of said work is ~~to be completed on or before~~ —, 19—.
4. The time limit for proof of beneficial use of water is —, 19—.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed No add'l 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. For irrigation purposes said appropriation must be limited to not more than 2 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 April 1 to October 31, 19—; said water to be used during the following described annual period: April 1 to October 31.

WATER MANAGEMENT BOARD
 By: John Hatch
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
SEP 11 1985, 19—

No. 2592A-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Kim Jungwirth hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Redfield 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 Redfield

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

April 3, 1985

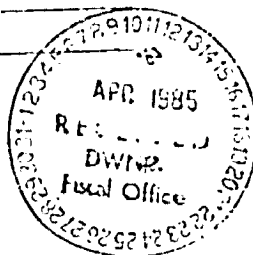
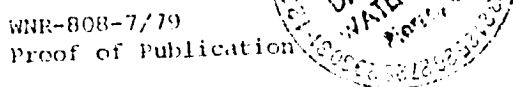
April 10, 1985

Kim Jungwirth
(Signature)

Secretary
(Title)

4-10-85
(Date Signed)

Cost of Printing: \$40.17



WNR-808-7/79
Proof of Publication

NOTICE OF HEARING
ON APPLICATION NO. 2592A-3
TO APPROPRIATE WATER AND
AMEND WATER PERMIT NO. 2592-3
Notice is hereby given that Clayton
Kloss whose mailing address is Route 1,
Box 9, Tulara, South Dakota has made
an application for a permit to change
the location of one well authorized by
permit No. 2592-3 and to add three
wells. The additional wells are located
in the NE 1/4 NE 1/4 Section 21 T115N-
R63W. This permit does not authorize
any increase in the diversion rate
authorized by permit No. 2592-3.
Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommends approval of Application
No. 2592A-3 because 1) will be no
unlawful impairment of existing rights,
2) is beneficial use of water and 3) is in
the public interest.

This application will be considered by
the Water Management Board at Civil
Defense Room, Basement of Capitol
Building, Pierre, SD, May 15, 1985 at

10:00 a.m. The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is authorized
to make a determination on this ap-
plication after it reaches a conclusion
based upon facts presented at the
public hearing. Any interested person
who may be affected by a Board
decision and who intends to participate
in the hearing before the Board and
present evidence or cross-examine wit-
nesses according to SDCL 1-26, must
file a written petition with BOTH the
Applicant and the Chief Engineer by
May 3, 1985. The petition may be infor-
mal, but it must include a statement
describing the petitioner's interest in
the application, the reason for the
petitioner's opposition to or support of
the application, and the signature and
mailing address of the petitioner or his
legal counsel if legal counsel is ob-
tained. The applicant need not file a
petition.

This application is made pursuant to
the provisions of SDCL 46-1-1 thru 46-1-
9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-
2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-10;
46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1
thru 46-2A-10, 46-2A-12; 46-6-3; 46-6-3.1,
46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and
Board Rules ARSD 74:02:01 thru
74:02:01:15.

This hearing is an adversary
proceeding. The applicant or any per-
son, after filing a petition, 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.

Any person wishing a copy of the
Chief Engineer's recommendation, for
further information on this application or
to assure access to the hearing by the
handicapped can contact the Water
Rights Division, DWNR, Joe Foss Bldg,
Pierre, SD (605 771-3352) for assistance
prior to the hearing date. The time
the hearing will be automatically ex-
tended for at least twenty days upon
written request of the applicant or a
person who has filed a petition to op-
pose or support the application. The
request for extension must be filed with
the Chief Engineer by May 3, 1985.
(April 3, 10)

No. 2592A-3

Instruction to Newspaper - Publish first publication of the following Notice on or before April 3, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2592A-3 to Appropriate Water
and/~~or~~ Amend Water Permit ~~or Water Rights~~ No. 2592-3

Notice is hereby given that Clayton Kloss whose mailing address is
Route #1, Box 9, Tulare, South Dakota has made an application for a permit

to change the location of one well authorized by permit No. 2592-3 and to add three wells. The additional wells are located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 T115N-R63W. This permit does not authorize any increase in the diversion rate authorized by permit No. 2592-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
Approval of Application No. 2592A-3 because 1) ~~unappropriated water is available;~~
~~2) will be no unlawful impairment of existing rights;~~ 2) is beneficial use of water and
3) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense
Room, Basement of Capitol Building, Pierre, SD, May 15 1985 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by May 3, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15.02 thru 74:02:01:15.05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWHR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support May 3, 1985 application. The request for extension must be filed with the Chief Engineer by _____.

Water Rights Division
605 773-3352

January 25, 1985

Clayton Kloss
RR 1, Box 9
Tulare SD 57476

Dear Mr. Kloss:

On October 3, 1984, I visited your farm for the final inspection of your water permit Nos. 2592-3, 3162-3 and 3163-3. The purpose of the final inspection is to compare the original conditions of the permit with what you have developed. After all necessary corrections are made, the water permit is licensed and becomes a water right.

I discussed with you that the well locations specified on permits No. 2592-3 and 3162-3 do not match the actual well locations. Additional wells have also been drilled for Permit No. 2592-3. The enclosed permit applications correct the well locations and provide for the additional wells. The permit applications are amendments to Permit Nos. 2592-3 and 3162-3 and will maintain the old priority dates. You also indicated that permit No. 3163-3 for irrigating the SW $\frac{1}{4}$ Section 28, T114N, R64W has not been developed. The time for developing permit No. 3163-3 ended on November 18, 1981; therefore, the permit will be scheduled for cancellation.

Please answer any questions which have not been completed and correct any errors. The forms must then be notarized and returned with a total application fee of \$100.00. Thank you for your time and consideration.

Sincerely,

RON DUVALL
Water Resources Engineer

enclosures

RECEIPT

Division of Water Rights

Nº 4 9947

South Dakota Department of Water and Natural Resources

Pierre, February 14, 1925

RECEIVED OF Clayton Kloss, Box #9, RR#1, Tulare, SD 57476

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

Fee for Application for Permit No. 2592-3A to Appropriate Water, to construct works 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		
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 (ms)



2592A-3

**Department of
Water & Natural Resources**

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

SEP 11 1985

Clayton Kloss
Route #1, Box 9
Tulare, South Dakota 57476

Dear Sir:

Enclosed herewith is your Water Permit No. 2592A-3 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 2592A-3.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

State of South Dakota
Water License No. 2592A-3

(1) Clayton H Kloss
of RR 1, Box 9, Tulare SD
made Application No. 2592A-3, February 14, 1985 for a water permit to appropriate
no add'l cubic feet per second of water from groundwater (3 wells),
Spink County, South Dakota for irrigation purposes.
Permit No. 2592A-3, with a priority date of February 26, 1976
was approved May 15, 1985 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be~~ completed on or before _____ and for the application to beneficial use of said
water on or before completed.

Water Permit No. 2592A-3 was approved to amend Permit No. 2592-3 to relocate
a diversion point and to add three wells.

The applicable portions of Water Permit No. 2592-3 have been incorporated
into this Water License No. 2592A-3. A priority date of February 26, 1976
(Permit No. 2592-3) will be retained.

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 1.00 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are #1 - 1122'W and 170'S;
#2 - 450'W and 165'S; #3 - 200'W and 130'S; #4 - 240'W and 70'S;
all from the NE corner of Section 31, T115N, R63W

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, it irrigate the following land all in T116N, R63W

Section 31 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.6 acres (EB)

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.8 " (AC)

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.6 " (AD)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.2 " (CA)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.3 " (CD)

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 " (DB)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 17.7 " (DA)

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.3 " (DC)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.7 " (DD)

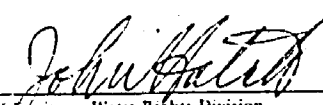
TOTAL 131.2 acres

(4) Pursuant to §46-5-30.1 Clayton H Kloss

of RR #1, Box 9, Tulare SD

the holder(s) and/or owner(s) of Water Permit No. 2592A-3 is issued a license to appropriate water, the right to use 1.00 cubic feet per second of water from groundwater (four wells) with a priority date of February 26, 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. 2592A-3 and subject to South Dakota State Law.


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

NOV 5 1986

James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Clayton H. Kloss
 of Box 2, RR1, Tulare, SD 57476 holder of
 Permit No. * 2592A-3 bearing the priority of February 26 1976 authorizing
 the diversion of 2.00 cu. ft. per second of the waters of groundwater (Tulare-Hitchcock)
 for irrigation purposes, in Spink County.

I have to report on the conditions of the same as follows: 4 pumping units (submersible)

A. Works used to divert the water:

make - Red Jacket

PT 179-139

all 5 hp., except for one 7hp unit

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

Pipeline: size - 8in 8intype - Aluminum PVClength - 2210 ft 2670 ft

C. Works used to apply water to beneficial use:

motor to operate hydraulics: Lincoln (electric)

S.N. 1465465

15 hp., 1750 rpm

center pivot: T&L hydraulic# of towers - 10length - 1285 ftlow pressure - 20 psinozzles - Addisoncapacity - 450 gpmThe system is in the following condition good

The point of diversion is located #1: 112 ft W. and 170 ft S; #2: 450 ft W. and 165 ft S; #3: 200 ft W. and 130 ft S;
 #4: 240 ft W. and 70 ft S; all from the NE corner of sec 31 - T115N - R63W

The works are capable of diverting and conveying to the place of use 1.00cu. 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:

		Acres			Acres
SE 1/4 NW 1/4	sec 31 - T115N - R63W	0.6	NW 1/4 SE 1/4	sec 31 - T115N - R63W	40.0
SW 1/4 NE 1/4		8.8	NE 1/4 SE 1/4		17.7
SE 1/4 NE 1/4		0.6	SW 1/4 SE 1/4		29.3
NE 1/4 SW 1/4		17.2	SE 1/4 SE 1/4		8.7
SE 1/4 SW 1/4		8.3			

comprising a total of 131.2 acres of land and the license should be issued for 1.00 cfs.Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are:

Date Oct. 3, 1984

* Permit No. 2592-3 is incorporated into
 Permit No. 2592A-3. The priority date is the
 same for both permits

Ron D. Dunsall
 (Signature)

CLAYTON DRILLING INC. DRILLERS LOG

7-15-77

PAGE NO.

Clayton Kloss
JOB NAME

31 N.E. 115-63
LOCATION

8/15/77
DATE

10
WELL NO

Dana Heinzer
FOREMAN

DEPTH	TIME	REMARKS
		DATE #
1	0-10	0-3 top well
		3-14 sandy yellow clay
		14-20 fine brown sand
2	20-40	20-25 fine brown sand
		25-40 fine blue sand
3	40-65	40-45 fine blue sand - coal
		45-55 medium blue sand - coal
		55-65 blue clay
		6" plastic
		4:30 - '36"
		5:30 - '30"
		6:30 - '3.6"
		6:45 - '10"
		'55 - blank
		4,000 lbs pea rock

CLAYTON DRILLING
Tulare, South
Spink County
Phone-596-2275
1977

WELL REPORT

Clayton Kloss
OWNER

Spink County
N.E. 31-115-63
DESCRIPTION

August 15, 1977
DATE

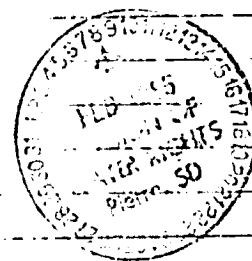
DEPTH	FEET	DESCRIPTION	FEET
Depth	65	ft.	
Flows	65	ft. 6" Plastic	pipe to 65 ft.
Pumps	40	gpm	pipe to ft.
Head	30	ft.	pipe to ft.
10 ft. plotted at bottom		ft.	pipe to ft.

1 day
4,000# Pea Rock
Rig No 10
Dana Heinzerling
Foreman

REMARKS

Kloss JOB NAME	N.E. 31-115-63 Spink Co. LOCATION	1/23/76 DATE	15 RIG NO.	Lloyd Peterson FOREMAN Jr.
-------------------	--------------------------------------	-----------------	---------------	-------------------------------

JOB NAME		LOCATION		REMARKS	DESCRIPTION
DEPTH	TIME	Unit #			
1	20		0-20 Yellow Clay		
2	35		20-31 Yellow Clay		N.E. 31-115-63
3	50	Cased to	31-35 Med. Sand		Spink County
4	65	63	35-50 Coarse Sand w/coal		
			50-60 Coarse Sand		
			60-65 Blue Clay		
			65-68 Sandy Blue Clay		
			68-80 Shale		
			30 ft. Slotted 4" PVC		
			33 ft. Blank 4" PVC		
			Pumped 15 GPM		
			Waterhead 30 ft.		
			1500 lbs. Concrete Sand		
			1 used 5" Drag Bit		
			1 used 7 7/8" Roller Bit		



Clayton Kloro			H.E. 31-115-63 Spink Co.		1/23/76	15	Lloyd Peterson	
JOB NAME			LOCATION		DATE	BIO NO.	FOREMAN	

H A	DEPTH	TIME	Test Hole # 6	REMARKS	DESCRIPTION
1	20		0-15 Yellow Clay	120 ft. West of Hole # 1	
2	35		16-20 Fine Sand Loss of circulation		H.E. 31-115-63
3	50		20-35 Med. sand		Spink County
			35-47 Coarse Sand & Fox size gravel		
			47-50 Shale		
Test Hole # 7					
1	20		0-20 Yellow Clay		
2	35		20-31 Yellow Clay		
3	50	Cased to	31-35 Med. sand		
4	65	63	35-50 Coarse Sand w/coal		
			50-60 Coarse Sand		
			60-65 Blue Clay		
			65-68 Sandy Blue Clay		
			68-80 Shale		
			30 ft. Slotted 4" PVC		
			33 ft. Blank 4" PVC		
			Pumped 3" GPM		
			Waterhead 30 ft.		
			1500 lbs. concrete sand		
			1 used 5" Drag Bit		
			1 used 7 7/8" Roller Bit		
Test Hole # 8					
1	20		0-20 Sandy Yellow Clay		
2	35		20-23 Sandy Yellow Clay		
3	50		23-35 Med. sand		
4	65		35-50 Coarse Sand		
			50-65 Shale		

DRILLING INC. DRILL LOG

PAGE NO.

Clayton Kloss
JOB NAME

N.E. S.E. 31-115-03
LOCATION Spink Co.

1/22/76
DATE

15
RIG NO.

Lloyd Petersen
FOOTMAN JR.

2	DEPTH	TOTAL	Test Hole # 1	REMARKS	DESCRIPTION
1	20		0-16 Yellow Clay		
2	35		16-20 Fine Sand w/yellow Clay		N.E. & S.E. 31-115-03
3	50		20-30 Med. sand		Spink County
4	50	TD	30-35 Coarse Sand		
			35-50 Coarse Sand w/Pen size gravel		
			48-50 med. sand 50-60 Shale		
			Test Hole # 2		
1	20		0-13 Yellow Clay	Moved 600 ft. from hole #2	
2	35		13-20 Fine to med. sand	to # 3	
3	50		20-35 Coarse Sand		
			35-37 Coarse sand w/coal		
			37-50 Blue Clay		
			Test Hole # 3	Moved 100 ft. North-loss of circulation 20 ft. on Hole # 3	
1	20		0-18 Yellow Clay		
2	35		18-20 Fine Sand w/yellow Clay		
3	47	TD	20-31 Fine Sand w/Blue Clay		
			31-35 Fair Sand		
			35-47 Shale		
			Test Hole # 4		
1	20		0-18 Yellow Clay	Rock @ 18	
2	35		18-20 Fine Sand w/yellow Clay		
			20-30 Coarse sand		
			30-35 Shale		
			Test Hole # 5		
1	20		0-19 Yellow Clay	150 ft. East from 1st Hole	
2	35		19-20 Fine Sand w/Yellow Clay		
			20-35 Fine Sand w/Yellow Clay		
			35-42 Coarse Sand		
			42-50 Shale		

LICENSE FOR PERMIT NUMBER 2592 A-3
2592-3

1. Legal location of wells: #1: 1122 ft W and 170 ft S; #2: 450 ft W and 165 ft S; #3: 200 ft W and 130 ft S; #4: 240 ft W and 70 ft S; all from the NE corner of sec 31 - T115N - R63W

2. Well Information: Well Drilling Firm Huron Drilling

No. of wells 4 Depth _____

Casing a) diameter 1 1/2 in 8 in 6 in Screen a) type Plastic (all)
b) length 65' 50' 50' 55 ft b) length #4 - 10 ft
c) type Plastic (all) Static Water Level _____

Pump all submersible a) make Red Jacket Motor a) make _____
b) model PT 179-139 b) model no. _____
c) size all 5 hp, except for one 7 hp. c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump no. of stages _____

3. Distribution lines:

a) size of lines 8 in 8 in
b) type Aluminum PVC
c) length 2210 ft 2670 ft

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

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 _____

5. System Type: c) center pivot hydraulic d) Gate Pipe

motor: Lincoln
(operate hydraulics)
S.N. 1465465
15hp, 1750rpm

- 1) make T & L
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1295
- 5) End gun (Y/N) Y
- 6) high or low pressure low
- 7) make & size of nozzles
Addison
- 8) PSI reading while system is running 20
- 9) GPM 450

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

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

g) Gun

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

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:

RECEIPT

Division of Water Rights

No 4 16257

South Dakota Department of Water and Natural Resources

Pierre, December 17, 1935

RECEIVED OF Clayton Kloss, Rt#1, Box 9, Tulare, SD 57476

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 _____	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. <u>23424-5</u>		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____	50	00
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer JOHN HATCH/TMS



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

Water Rights Division
605 773-3352

NOV 5 1986

Clayton H Kloss
RR 1, Box 9
Tulare SD 57476

Dear Mr. Kloss:

Enclosed are Water License Nos. 3162A-3 and 2592A-3. These are the final water rights documents completing your process of obtaining a water right.

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

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

2592A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

CLAYTON H KLOSS
RR #1 BOX 9
TULARE SD 57476

NOTICE

RE: Violation of Water Permit No(s) 2592A-3 & 3162A-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2592A-3 & 3162A-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2592A-3 & 3162A-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 2592A-3 & 3162A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

Very truly yours,

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

SENDER: • Complete items 1 through 2 for additional services. • Complete items 3, a, 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: <u>259243</u> CLAYTON H KLOSS RR #1 BOX 9 TULARE SD 57476 5. Signature (Addressee) <i>Clayton H Kloss</i> 6. Signature (Agent) _____	
		4a. Article Number <u>P837-692593</u> 4b. Service Type ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise 7. Date of Delivery <u>2/18/94</u> 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



2592A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 1994

2592A-3
3162A-3

Clayton H Kloss
RR #1 Box 9
Tulare, SD 57476

Dear Mr. Kloss:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, Notice of Violation of Water Permit Nos. 2592A-3 and 3162A-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 9, 1998

2592A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: CLAYTON H KLOSS, RR 1 BOX 9, TULARE, SD 57476

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2592A-3 & 3162A-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2592A-3 & 3162A-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, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2592A-3 & 3162A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

2592A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

2592A-3
3162A-3

Clayton Kloss
38857 183rd St
Tulare, SD 57476

Dear Mr. Kloss:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 2592A-3 and 3162A-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

NOT TO SCALE 2592

579-86 L

NC

56.0

49.9

129.0

5.0

19.0

56.5

34.0

115-63

W/R 2592A-3

Ron Duvall
Water Resources Eng.

6/25/85



January 26, 2007

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: CLAYTON H KLOSS, 38857 183RD ST, TULARE, SD 57476

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 2487-3 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) 2592A-3 & 3162A-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 2592A-3 & 3162A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2487-3 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 1, 2007, 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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

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

February 5, 2007

Clayton H Kloss
38857 183rd St
Tulare SD 57476

RE: Water Right Nos. 2487-3, 2592A-3 and 3162A-3

Dear Mr. Kloss:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 2487-3, 2592A-3 and 3162A-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



2592A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: CLAYTON H KLOSS, PO BOX 185, TULARE, SD 57476 0185

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) 2487-3 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) 2592A-3 & 3162A-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) 2592A-3 & 3162A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2487-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 2015

2487-3
2592A-3
3162A-3

Clayton Kloss
PO Box 185
Tulare SD 57476 0185

Dear Mr. Kloss:

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. 2487-3, 2592A-3 and 3162A-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



**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: CLAYTON H KLOSS, PO BOX 185, TULARE, SD 57476 0185

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) 2487-3 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) 2592A-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) 2592A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2487-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LVGUIP**

CC: Harvey Kloss, 204 Kansas Apt 7, Tulare, SD 57476

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 9, 2026

Lisa Haigh
38857 183rd St
Tulare, SD 57476

2592A-3

2487-3

Dear Ms. Haigh:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

Thank you for contacting the Water Rights program regarding transferring ownership of Water Right Nos. 2592A-3 & 2487-3. For your convenience I have enclosed partially completed "Transfer of Ownership" forms for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$100.00 (\$50.00) each, made payable to "SD Water Rights Program" to cover the transfer fees for both Water Rights. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

RECEIVED

MAR 16 2026

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

MAR 13 2026

Ck# 9018

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2592A-3 Rec't#

Date: 3-9-26

I/We request that Water Right/Permit No. 2592A-3 formerly owned by:

Clayton Kloss be transferred to:

New Owner Name: Randy & Lisa Haigh
Address: 38857 183rd St mobile: (605) 460-0574
City, State, Zip: Tulare, SD 57476 email: haighle6@hotmail.com

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

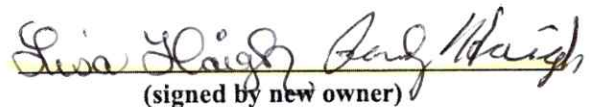
131.2 acres all in Section 31-T115N-R63W
SE1/4 NW1/4 - 0.6 acres NW1/4 SE1/4 - 40.0 acres
SW1/4 NE1/4 - 8.8 acres NE1/4 SE1/4 - 17.7 acres
SE1/4 NE1/4 - 0.6 acres SW1/4 SE1/4 - 29.3 acres
NE1/4 SW1/4 - 17.2 acres SE1/4 SE1/4 - 8.7 acres
SE1/4 SW1/4 - 8.3 acres

☒ I understand that the validity of Water Right/Permit No. 2592A-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Randy & Lisa Haigh, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

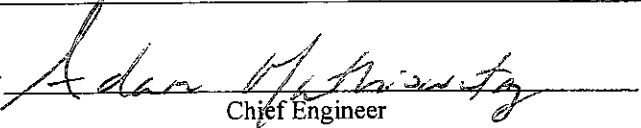
Date March 13, 2026

RECEIVED OF Randy & Lisa Haigh 38857 183rd St Tulare, SD 57476

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 #2592A-3	\$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


Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 17, 2026

2592A-3

Randy & Lisa Haigh
38857 183rd St
Tulare, SD 57476

Dear Haigh's:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fee you submitted for Water Right No. 2592A-3. Enclosed is the receipt of payment for your records.

Water Right No. 2592A-3, previously held by Clayton Kloss, is now listed under your names. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copies enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 2592A-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure