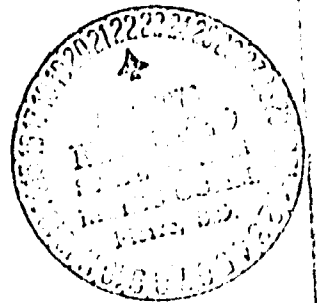


1. Considered MAY 20, 1976 2675-3
2. Name of Applicant CHESTER GREGG
3. Post Office Address HARROLD
4. Amount of water claimed 4.2
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 296
7. Water to be diverted and used in HUGHES county
about 255.2E miles of HARROLD
8. Proof of Publication Received 5-17-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2675-3Map No. 678-3Water Division No. 3 MISSOURI RIVER

District

(Blanks to be filled by the Engineer for the W. R. C.)



2/15/77

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

Chester Gregg

1. Name of Applicant Chester GreggPostoffice address Harrold, State South Dakota

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Gregg #14. Amount of water claimed (cubic feet per second) 4.2
Missouri River

5. Source of water supply _____

6. Location of point of diversion between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, and in
the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T108N, R74WCounty Hughes7. Annual period or periods during which water to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 296

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.
All in T108N, R74W		NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24	39.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	40.0	N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14	80.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	39.5	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13	29.5
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	39.5	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13	29.1

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Capitol Journal, Pierre, S.D.

12. Principal Features of the Proposed Water Supply System.

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

Pumps and motors

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

Mainline

C. Works proposed to apply water to beneficial use.

Big Gun, sprinkler systems

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)STATE OF SOUTH DAKOTA)
Hughes)

County of _____

I, Chester Gregg, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Chester GreggSubscribed and sworn to before me this 22nd day of April 19 77Betty Westlund
Notary Public (or other qualified officer)

s/ BETTY WESTLUND, L/W Clerk II

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2675-3CHESTER G FEGG
(Applicant)HARROLD

(Post Office Address)

SOUTH DAKOTA 57536 With the following modifications:
(State)Date of first receipt of application APRIL 22, 1976Date of return to applicant for correction, amendments or changes required 19 Date of receipt of corrected application 19 Approved MAY 20, 1976, Recorded in Book 15 Page 114WATER RIGHT PERMIT NO. 2675-3The Water Rights Commission hereby grants and issues this Water Right Permit No. 2675-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 22, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20, 1978
3. The whole of said work is to be completed on or before MAY 20, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 1985
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

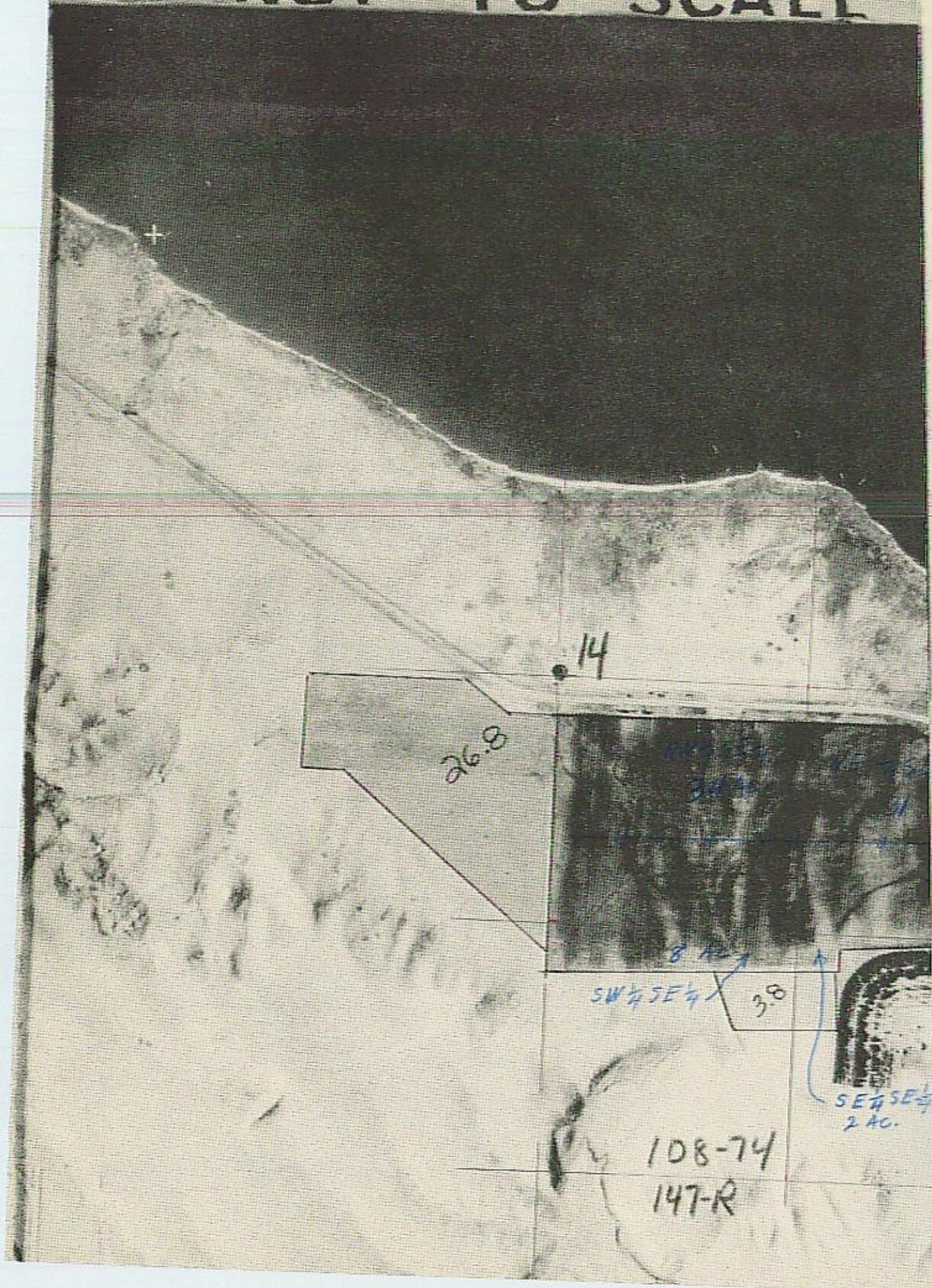
7. The amount of the appropriation herein granted shall not exceed 4.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation 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 isactually and beneficially applied for irrigation on or before MAY 20, 1985; said water to be used during the following described annual period: APRIL THRU OCTOBERWitness my hand this 8TH day of JUNE 19 76

WATER RIGHTS COMMISSION

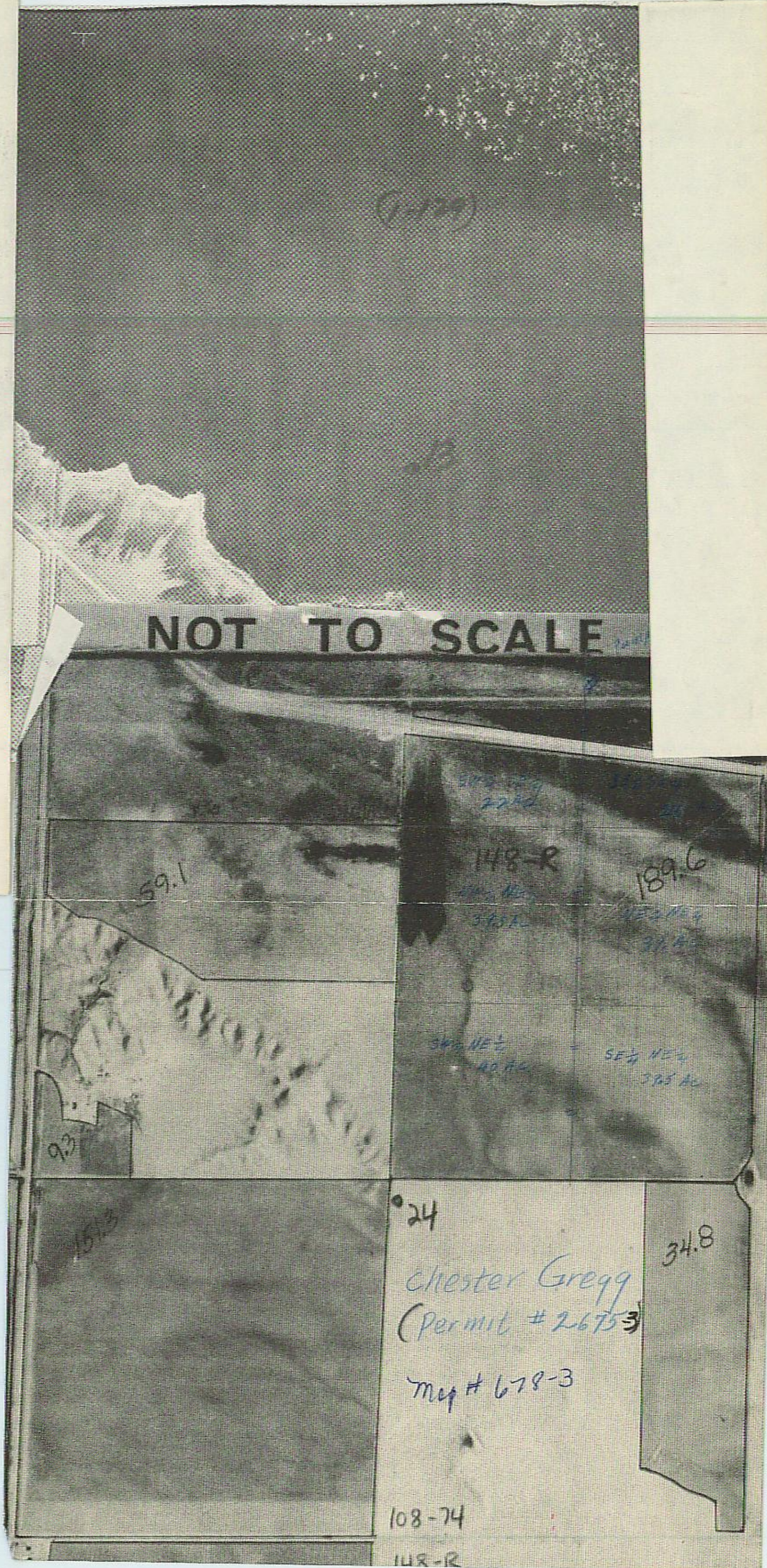
By:

John Hatcher
Chief Engineer, Executive OfficerCertificate of Construction Issued DECEMBER 29, 1980Water License Issued DECEMBER 29, 1980

NOT TO SCALE



NOT TO SCALE



No. 2675-3

Publish first publication, on or before May 6, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

~~April 22~~, 1976

Notice is hereby given that Chester Gregg

whose post office address is Harrold, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

4.2 cubic feet of water per second of time from the Missouri River through the

Grogg #1, the point of diversion of which is to be located in the _____

between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 14, Twp. 108N, Range 74W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

NE $\frac{1}{4}$, Section 24; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14.

T108N, R74W

This application No. 2675-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Chester Gregg, Harrold, S.D. 57536

WATER LICENSE NO. 2675-3.

(1) WHEREAS, On the 22nd day of April A. D. 19 76

Chester Gregg

made Water Right Application No. 2675-3 for a permit to use 2675-3 cubic feet per second of the waters of the Missouri River

County of Hughes, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 20th day of May A. D. 19 76

Permit No. 2675-3, with a date of priority of April 22, 1976

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 20th day of May A. D. 19 81 and for the application to beneficial use of said water on or before the 20th day of May A. D. 19 81

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.97 cubic feet per second of water for beneficial use and,

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

to irrigate the following lands all in T108N, R74W

Section 13 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 23 "

Section 24 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.5 "

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 "

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.5 "

Section 14 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 34 "

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 31 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8 "

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 "

TOTAL 278.0 acres

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

_____ of Harrold, South Dakota
the holder _____ and owner _____ of said permit No. 2675-3 a water right, dating from April 22, 1976
_____ to use of 3.97 cubic feet per second of the waters
of the Missouri River
in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted ~~to~~ between points on the Missouri River SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13,
and in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T108N, R74W

and conducted to and upon portions of land in Sections 13, 14 and 24, T108N, R74W
more fully described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2675-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of December A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 2675-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Chester Gregg

the holder of

Permit No. 2675-3, issued upon Application No. 2675-3, bearing date of priority of April 22, 1976 authorizing the diversion of 4.2 cu. ft. per second of the waters of the Missouri River County of Hughes, State of South Dakota between points on the Missouri River SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 and in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, both in T108N. R74W for Irrigation

purposes, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory condition for diverting and conveying to the place of intended use 5.33 cu. ft. per second of water.

Date December 24, 1980



JOHN HATCH, Chief Engineer
Water Rights Division

Affidavit of Publication

State of South Dakota } ss.
County of Hughes

John H. Hipple

of said County and State, being first duly sworn, on his oath says:

Daily Capital Journal

Is a daily newspaper of general circulation, printed and published in Pierre in said County and State by Hipple Printing Company and has been such newspaper during the times hereinafter mentioned; that the said Daily Capital Journal

is a legal newspaper and has been in existence for more than one year immediately preceding the first publication herein mentioned; and has more than two hundred bona fide subscribers; that I, the undersigned, am business manager of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement

#2675-3 headed INTENT TO APPROPRIATE WATER a printed copy of which is hereto attached, was printed and published in the said newspaper once each week for two successive weeks; the first publication being made on May 3, 1976; subsequent publications on

May 10, 1976; and last publication on May 10, 1976, that \$ 8.70 being the full amount of the fee for publication of the annexed notice inures solely to the benefit of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me

this 14th day of May,

19 76

Notary Public Hughes County.

Attorney's Affidavit Ex Rel Fees

State of South Dakota } ss. County of

being first duly sworn, on his oath says: I am

of the that directed the publication of the annexed notice; that the full amount as appears by the foregoing affidavit of

for the publication of such notice has been paid; that no agreement or understanding for any division thereof, has been made with any person whomsoever, and that no part thereof has been refunded by the party publishing said notice.

Subscribed and sworn to before me

this day of

19

Notary Public

County

No. 3368 - 21 dly May 3-10

No. 2675-3

NOTICE INTENT

TO APPROPRIATE WATER

Notice is hereby given that Chester Gregg whose post office address is Harrold, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.2 cubic feet of water per second of time from the Missouri River through the Gregg No. 1, the point of diversion of which is to be located between points in the SE 1/4 SE 1/4, Section 13 and in the NE 1/4 SE 1/4 of Section 14, Twp. 108N, Range 74W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 24; S 1/4 SE 1/4, Section 13; N 1/4 SE 1/4, Section 14, T108N, R74W.

This application No. 2675-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: EURTONE JONES

Water Rights Specialist

Publication Fees - \$

Notary Fees - \$

Total - \$

Received payment,

LEGAL RATES

South Dakota Session Laws of 1957, Chapter 500 page 601-602.

\$ pt. 11 cms;

35 11. 0 .2484





United States Department of the Interior
OFFICE OF THE SOLICITOR

ROOM 211 - FEDERAL BUILDING
P.O. BOX 519
ABERDEEN, SOUTH DAKOTA 57101

May 19, 1976



Mr. Burton F. Jones
Water Rights Specialist
Water Rights Commission
Pierre, South Dakota 57501

Dear Mr. Jones:

The Area Director, Bureau of Indian Affairs, has advised that on May 20, 1976, a Hearing will be held at 1 p.m. by the Water Rights Commission at their office at Pierre, South Dakota, on the application of Chester Gregg, Harrold, South Dakota, for a permit to appropriate for beneficial use 4.2 cubic feet of water per second of time from the Missouri River through the Gregg # 1, the point of diversion being in the between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13 and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 108 N., R. 74 W., for the purpose of irrigation.

This letter will serve as our written objection to such application for a permit to appropriate ground water from within the boundaries of the Crow Creek Reservation. The issuance of such permit would be contrary to established law, which declares that the State lacks jurisdiction with respect to the adjudication of the waters of, or the lands within the exterior boundaries of an Indian Reservation. See 25 U.S.C.A. Sec. 381; Winters v. United States, 207 U.S. 564, 28 S. Ct. 207; United States v. Powers, 94 F. 2d 783; United States v. McIntire, 101 F. 2d 650; and United States v. Alexander, 131 F. 2d 359.

In filing this objection to the issuance of such proposed permit and in writing this letter to you, we do not waive our right to challenge the State's jurisdiction by legal action or otherwise and merely intend to call the State's attention to the fact that the State lacks jurisdiction in this matter.

Very truly yours,

Wallace G. Dunker
Wallace G. Dunker
Field Solicitor

cc: Area Director
Superintendent, Crow Creek Agency, Ft. Thompson, SD 57339
Mr. Parnell Hagen, Area Soil Conservationist, B.I.A.
Mr. Chester Gregg, Harrold, SD 57536

**Department of Natural Resource Development****WATER RIGHTS COMMISSION**

Joe Foss Building, Pierre, South Dakota 57501

June 8, 1976

Phone 605/224-3151

Chester Gregg
Harrold
South Dakota 57536

Dear Mr. Gregg:

Enclosed herewith is your Water Right Permit No. 2675-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 2675-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have applied the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

P.S. This is to inform you that the Office of the Solicitor, United States Department of Interior in a letter dated May 19, 1976 contends that the State of South Dakota lacks the jurisdiction with respect to the issuance of permits to use waters within the exterior boundaries of an Indian Reservation.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH
Chief Engineer

JH/BFJ/hw
Encl: As stated

Form 10.

No. 2475-3

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT

DIVISION OF WATER RIGHTS

JOE FOSS BUILDING

PIERRE, SOUTH DAKOTA 57501

Post Office Harrold S.D.

Date Aug 22 - 1977

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2475-3.

Water Right Permit No. 2475-3 states that the diversion system is to be constructed by May, 1981 and that the water is to be put to beneficial use by May, 1985.

The diversion system was completed on May, 1977. Applying the water to beneficial use was completed on June 20, 1977.

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

Clenton Gregg
(Signature)



Due to Bank Error and by letter
sent 24th in reply
to call + 1000.00

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7794

PIERRE, November 25, 1930

RECEIVED OF Chester Gregg, Harrold, SD 57536

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

Fee for Application for Permit to Appropriat Water No. (examination,
processing, recording and filing)

Fee for inspecting Construction, and issuing Cert. of Construction No. 2675-3

Fee for inspecting Beneficial Use, and issuing Water License No. 2675-3

Fee for issuing Location Certificate-Dry Draw, No.

Fee for filling

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for

(any other work as provided by law)

50 00

TOTAL

50 00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2675-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Chester Greggof Harold, South Dakota 57536 holderof Permit No. 2675-3, bearing date of priority of April 22, 1976authorizing the diversion of 4.2 cu. ft. per second of the waters of Missouri Riverfor Irrigation purposes, in Hughes County.

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

The Water Use System consists of,

- A. Works used to divert the water: For Gravity System. Deutz 5 cyl. diesel 73 HP Pump = Berkeley, Model B4 JQBH, Ser # 7736896, Pumping 1800 gpm Est.
For Gun System. John Deere 6 cyl. Diesel, Type 6329 DF-01 Ser # 341348T Pump = Berkeley, Model B3 JQBH, Ser # 7486665. Pumping 600 gpm.

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

3000 ft 8" Main Aluminum Pipe.
1500 ft 8" Aluminum Gated Pipe.
3500 ft 6" Aluminum Pipe.
660 ft 4" Flexible Hose.

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

Agri Rain Model. T45, Ser # 0320 with Nelson 200 gun with 1.5" dia Nozzle.

Gated Pipe Good

The system is in the following condition:

The point of diversion is located On Missouri River between points in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17, and in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 14, T108N R74W

The works are capable of diverting and conveying to the place of use 5.33

cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: The following in Sec. 13, T108N

R74W SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 22 Ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 23 Ac. The following in Sec. 14, T108N R74W
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 39.5 Ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 39.0 Ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 Ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 39.5 Ac.
The following in Sec. 14, T108N R74W NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 Ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 31 Ac.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 8 Ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 2 Ac.

comprising a total of 278 acres of land.

278 Ac. $\times$ 1.1 = 3.07
1000000 $\div$ 3.07 = 322475

Date

May 15, 1979

LeRoy J. McNaugh
(Signature)

4653-3

2675-3

WATER RIGHTS DIVISION
(605) 773-3352

May 28, 1986

Monte Gregg
Box 35
Harrold, South Dakota 57536

Dear Mr. Gregg:

Please find enclosed two Notices of Transfer for Water Permit Nos. 2675-3 and 4653-3. The forms must be signed before a notary and returned to this office with a filing fee of \$2.50 each (total of \$5.00).

Upon receipt of the enclosed forms and the filing fees the permits will be transferred to your name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Right of Water Permit to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc. 2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 7-15-86

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

278 Acres - S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13; NE $\frac{1}{4}$ Section 24; SE $\frac{1}{4}$ Section 14; All in T108N-R74W

formerly owned by Chester Gregg

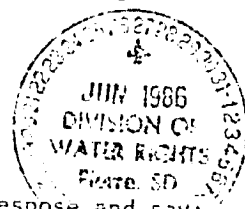
has been transferred to Monte R. Gregg W. 2nd St. S.E. Box 39
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2675-3 as provided for in SDCL 46-5-32 and 46-5-35.

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

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

STATE OF SOUTH DAKOTA)
County of Butte) ss.



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

Monte R. Gregg
(Signed)

Subscribed and sworn to before me this 15th day of July, 1986.

William H. M. [Signature]
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 27, 19 86

RECEIVED OF Monte R. Gregg, Route 72, Box 35, Harrold, SD 57526

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 2675-3	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatchels
Chief Engineer JOHN HATCHELS

No. 4653-3

2675-3

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

June 30, 1966

Monte R. Gregg
Route #2, Box 35
Harrold, South Dakota 57536

Dear Mr. Gregg:

Enclosed ^{are} ~~is~~ receipt No. 410473 & 410474 in the amount of \$ 2.50 each which you paid for transfer of Water Right No. 4653-3 & 2675-3.

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

Sincerely,

Haxine Stirling
Staff Assistant

ms/
Enc.

 **Department of
Water & Natural Resources**

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

April 2, 1986

Chester N. Gregg Estate
ST RT 2, Box 32
Harrold, SD 57536

NOTICE

Re: Violation of Water Permit No(s). 2675-3 and 4653-3 and 1985 Irrigation Questionnaire Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2675-3 and 4653-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board of violation of Water Permit No(s). 2675-3 and 4653-3 qualification:

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

The hearing will also be to determine if Permit No(s). 4653-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 p.m., May 14, 1986, in Room 216, Joe Foss Building, Pierre, South Dakota.

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

Following the hearing(s), the Water Management Board can:

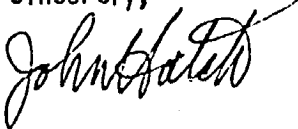
1. Suspend Permit No(s). 2675-3 and 4653-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;
2. Amend Permits No(s). 4653-3 also held by Chester N. Gregg to require the Irrigation Water Use Questionnaire to be submitted each year;

Chester H. Gregg
April 2, 1986
Page 2

3. Postpone any action;
4. Take no action.

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

Sincerely,



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

Note: if the questionnaire(s) are received in this office before the May 14th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

D32403KS.WR



Department of Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Chester Gregg Estate
St Rt 2, Box 32
Harrold SD 57536

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

A handwritten signature in dark ink, appearing to read "John Hatch".

SUBJECT: Amendment to Water Permit No(s). 2675-3

Pursuant to the provisions of the notice dated April 2, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 2675-3 to add the following qualification:

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

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

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

Attachment to Water Permit No. 2675-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 2675-3 to add the following qualification:

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

March 23, 1987

MONTE R GREGG
ST RT 2 BOX 35
HARROLD, SD 57536

NOTICE

Re: Violation of Water Permit No(s) 2675-3, 4653-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 2675-3, 4653-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2675-3, 4653-3 qualification:

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

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

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

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 2675-3, 4653-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 15, 1987

2675-3
4653-3

Monte R Gregg
SR 2 Box 35
Harrold, SD 57536

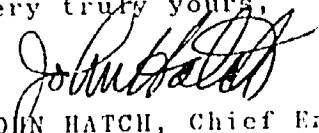
Dear Mr. Gregg:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 2675-3 and 4653-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,


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

2675-3



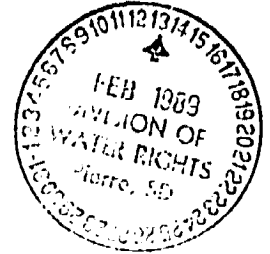
REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, PIERRE REAL ESTATE OFFICE
217 U.S. POST OFFICE & COURTHOUSE, P.O. BOX 670
PIERRE, SOUTH DAKOTA 57501-0670

February 10, 1989

Acting Chief, Pierre Real Estate Office

SUBJECT: Big Bend - Transfer Of Water Rights -
Chester Gregg



Department of Water and Natural Resources
ATTN: Division of Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Gentlemen:

Enclosed is a Notice of Transfer of Water Permit No. 2675-3 and a check for \$2.50 for filing fees. Please process the transfer.

Thank you for your cooperation.

Sincerely,

George W. Spiehs II
Acting Chief, Pierre Real Estate Office

Enclosures

2675-3



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: February 10, 1989

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 108 North, Range 74 West, Hughes County, South Dakota.

formerly owned by CHESTER GREGG, Rural Route 2, Box 32, Harrold, South Dakota 57536

has been transferred to MONTE AND ROSE GREGG, Box 35, Harrold, South Dakota 57536

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2675-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

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

Monte R. Gregg
(Signed)

Subscribed and sworn to before me this 10 Day of February, 1989.

Robert C. Moon
(Notary Public)

Commission Expires 5-27-93

RECEIPT

Division of Water Rights

411638

South Dakota Department of Water and Natural Resources

Pierre, February 13, 1982

RECEIVED OF Donna J. Gregg, RR 2 Box 32, Harrold, SD 57556

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form -2675-3-	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

John Hatcher
Chief Engineer

2675-3

South Dakota Department of
Water & Natural Resources

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

February 16, 1989

Donna J. Gregg
RR 2, Box 32
Harrold, SD 57536

Dear Ms. Gregg:

Enclosed is Receipt No. 411638 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 2675-3.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352



BOWERS DISTILLERY, INC.

Essential Oils
611 North VanBuren
Pierre, South Dakota 57501
Phone (605) 224-7987

2675-3



August 9, 1994

Ron Duvall
Water Rights, DENR
523 E. Capital. Foss Bldg.
Pierre, SD 57501

Dear Ron:

This letter is a little on the late side. This spring we discussed filing a change in the Missouri River water diversion point for two pieces of ground. The sections of ground are noted under permits 2675-3 NE 1/4 and 4653-3 SW 1/4. They are owned by Monte Gregg and Terry Gregg. We have changed the diversion point for the west most quarter to our western pump site (pump site #1); however, everything is still in place to use the former diversion point. We have changed the diversion point for the eastern quarter to our middle pump site (pump site #2); however, everything is still in place to use the former diversion point. We are leasing these two pieces of ground for the next 15 years. The new diversion points will be used as the water source throughout the period of the lease.

Sincerely,

Kent A. Bowers, V. Pres.
Bowers Distillery, Inc.
605-224-6098

2675-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

MONTE & ROSE GREGG
22285 MINT RD
HARROLD SD 57536 7105

NOTICE

RE: Violation of Water Permit No(s) 2675-3 & 4653-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2675-3 & 4653-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2675-3 & 4653-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 2675-3 & 4653-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

Very truly yours,

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

2675-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 1995

2675-3 ✓
4653-3

Monte & Rose Gregg
22285 Mint Road
Harrold, SD 57536-7105

Dear Mr. & Mrs. Gregg:

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

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

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
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, 4a, and 4b.
- 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:

2675-3

MONTE & ROSE GREGG
22285 MINT RD
HARROLD SD 57536 7105

4a. Article Number

P378 081 436

4b. Service Type

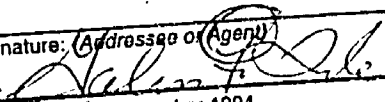
- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

2-8-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X 

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

2675-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: MONTE & ROSE GREGG, 22285 MINT RD, HARROLD, SD 57536 7105
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s). 2675-3 & 4653-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2675-3 & 4653-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 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) 2675-3 & 4653-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 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) 2675-3 & 4653-3 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 28, 1997, 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 Gerny 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1997

2675-3
4653-3

Monte & Rose Gregg
22285 Mint Rd
Harrold, SD 57536-7105

Dear Mr. Gregg:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of Water Permit Nos. 2675-3 and 4653-3.

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



2675-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: MONTE & ROSE GREGG, 22285 MINT RD, HARROLD, SD 57536 7105
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2675-3 & 4653-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 2675-3 & 4653-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in 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) 2675-3 & 4653-3 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 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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.



2675-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2000

2675-3
4653-3

Monte & Rose Gregg
22285 Mint Rd
Harrold, SD 57536-7105

Dear Mr. & Mrs. Gregg:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. I completed the forms for you based on our January 18th telephone conversation. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2675-3 and 4653-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: MONTE & ROSE GREGG, 22285 MINT RD, HARROLD, SD 57536 7105

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2675-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 2675-3 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 11, 2008** 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) 2675-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, 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/E0455V6-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.

2675-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 2885
Status: **Delivered**

Your item was delivered at 8:24 AM on January 19, 2008 in HARROLD, SD 57536. The item was signed for by G INGLE.

Track & Confirm

Enter Label/Receipt Number.

[Additional Details >](#) [Return to USPS.com Home >](#)

Notification Options

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Get current event information or updates for your item sent to you or others by email. [Go >](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 2885

MONTE & ROSE GREGG
22285 MINT RD
HARROLD SD 57536 7105

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com[®]
or call 1-800-222-1811

ONE-DAY (PRIORITY MAIL ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2008

2675-3

Monte & Rose Gregg
22285 Mint Rd
Harrold SD 57536-7105

Dear Mr. & Mrs. Gregg:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 2675-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

November 30, 2015

2675-3

Beau Gregg
22289 Mint Rd
Harrold SD 57536

Dear Mr. Gregg:

Thank you for calling with the information for your 2015 irrigation questionnaire. I have completed a form for you based on the data you supplied.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 9, 2016

2675-3

Beau Gregg
22289 Mint Rd
Harrold SD 57536

Dear Mr. Gregg:

On November 30th, we spoke on the phone concerning the need for an ownership change for Water Right No. 2675-3, listed in the names of Monte and Rose Gregg. To date, we have not received anything back from you.

In the event you do not have the original form, enclosed is an additional partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

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

enclosure



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: BEAU GREGG, 22289 MINT RD, HARROLD, SD 57536

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2675-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 2675-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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) 2675-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** 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: <https://denr.sd.gov/iq> using this password: QCVUVW**

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.

2675-3

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70191120000129105119

Remove X

Your item was delivered to an individual at the address at 10:44 am on January 26, 2021 in HARROLD, SD 57536.

 **Delivered**

January 26, 2021 at 10:44 am
Delivered, Left with Individual
HARROLD, SD 57536

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Tracking History

Product Information

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ _____
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postmark

Delivered
1-26-2021

Postmark
Here

BEAU GREGG, RENTER
22289 MINT RD
HARROLD SD 57536

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Feedback

See Less ^



DENR
SOUTH DAKOTA

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

March 4, 2021

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Beau Gregg, 22289 Mint Rd, Harrold SD 57536

FROM: Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 2675-3

On March 3, 2021, the Water Management Board ordered:

Effective April 3, 2021, Water Right No. 2675-3 be suspended for the 2021 irrigation season for failure to submit the 2020 irrigation questionnaire.

If the 2020 irrigation questionnaire is received prior to April 3, 2021, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2021 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2021 unless the 2020 irrigation questionnaire is submitted by April 3, 2021.

After April 3rd, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2020 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 5-6, 2021 in Pierre, SD. The letter should include your reasons for not completing the 2020 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

Certification

I hereby certify that on March 4, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 4, 2021 regarding Water Management Board action taken March 3, 2021 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536
 No. 4332-3: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

One Year Suspensions:

No. 515-3: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
 Daniel Benson, 45586 US Hwy 18, Hurley SD 57036
 No. 577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758
 No. 5524-3: Wade & Todd Druin, 30911 457th Ave, Volin SD 57072-6322
 No. 1554A-1: Franklin Dyck, 313 Pierre St, Vale SD 57788
 No. 1935-1: Brian Dyck, 313 Pierre St, Vale SD 57788
 No. 2675-3: Beau Gregg, 22289 Mint Rd, Harrold SD 57536
 Nos. 6822-3, 8070-3 & 8071-3: Roger Hansen, Hansen Properties, PO Box B, Centerville SD 57014
 No. 1150-2: O M Iwan & Sons, 24912 Rocky Ford Rd, Midland SD 57552
 Nos. 4678-3 & 6960-3: Craig Jepsen, Jepsen Farms, 505 Larson St SW, Hutchinson MN 55350-2108
 Nos. 5566-3, 7615-3 & 7616-3: Wayne Reiersen, 30048 Reiersen Pl, Pollock SD 57648
 No. 2350-3: Bill Boyer, River View Farms, PO Box 486, Alcester SD 57001-0486
 No. 2497-2: Marty Vanderploeg, 22958 293rd St., Martin SD 57551

Three Year Suspensions:

No. 4472-3: Darrel Biddle, 37461 287th St, Geddes SD 57342
 No. 7970-3: David Hoops, PO Box 462, Huron SD 57350-0462

Suspend/Amend

Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3, 974-3 & 1813-3:
 • Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014

Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

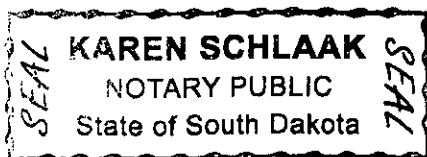
- Brandon Ritter, 30489 115th St, Mound City SD 57646
- Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646

Vickie Maberry
 Vickie Maberry
 Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 4th day of March, 2021.

Karen Schlaak
 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2025



Beau Gregg

2675-3

Hello my name is Beau Gregg I just received a letter that was dated January 22 about a hearing to suspend my water permit, unfortunately the letter was placed in my neighbors mailbox who passed away last fall and nobody has checked his mailbox regularly. I filled out the survey online but it must not have went through, I was wondering if we could do a conference call and try to get my permit reinstated. My permit number is 2675-3 my phone number is 605-222-9670. I would like to try to get this taken care of before your next board meeting in July if I can, thank you.

RECEIVED

MAY 11 2021

WATER RIGHTS
PROGRAM

2675-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date May 19, 2021RECEIVED OF Beau/Tara Gregg 22289 Mint Rd. Harrold SD 57536

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>2675-3</u>	\$ <u>50.00</u>
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	\$ <u>50.00</u>

By Eric Gronlund
 Chief Engineer
 VM

PAID

MAY 19 2021

Ck# 4872

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

MAY 19 2021

WATER RIGHTS
PROGRAM

Water Right/Permit No. 2675-3

Date: 5-17-21

I/We request that Water Right/Permit No. 2675-3 formerly owned by:

Monte R Gregg

be transferred to:

New Owner Name: Beau Gregg

Address: 2228 9th Minn Rd

City, State, Zip Harrold SD 57536 Telephone No 605-222-9670

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

S $\frac{1}{2}$ SE $\frac{1}{4}$ sec 13

NE $\frac{1}{4}$ sec 24 all in 108N-74W

SE $\frac{1}{4}$ sec 14

☒ I understand that the validity of Water Right/Permit No. 2675-3 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, Beau Gregg, the new owner, certify that the above information is true and correct.

(signed by new owner)

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

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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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denr.sd.gov

May 19, 2021

NOTICE

TO: Beau Gregg, 22289 Mint Rd, Harrold SD 57536

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: Rescission of Suspension for Water Right No. 2675-3

On May 19, 2021, the Water Management Board passed a motion to lift the one-year suspension of Water Right No. 2675-3. The Board's action allows irrigation to take place in 2021.

The Board's action took into consideration the 2020 irrigation questionnaire is now on file and your indication you did not receive notification of the last hearing due to mail delivery in your area. You may want to check with your post office regarding certified mail delivery and find out who signs for your mail in your absence.

Please be aware that under SDCL 46-1-12, the Board has the authority to suspend a water right for a period of up to one year for the first violation; for up to three years for the second violation and may cancel a water right for a third violation.

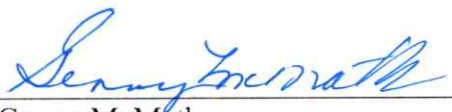
The ownership change you filed has been completed. The water right formerly listed under Monte and Rose Gregg is now listed in your name. Enclosed is a receipt for the filing fee you paid.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on May 19, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, a first class postage prepaid envelope containing a "Notice" dated May 19, 2021 concerning the Water Management Board action to rescind the one-year suspension of Water Right No. 2675-3 as follows:

- Beau Gregg, 22289 Mint Rd, Harrold SD 57536



Genny McMath
Program Assistant
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 19th day of May, 20 21.



Karen Schlaak
Notary Public
My Commission expires April 1, 2025

