

2687-3

1. Considered MAY 20, 1976
2. Name of Applicant PICKARD FARMS, INC.
3. Post Office Address BRUCE
4. Amount of water claimed 4.3
5. Source of water supply 40' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 300
7. Water to be diverted and used in BROOKINGS county
about 6E, 1S miles of BRUCE
8. Proof of Publication Received 5-12-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2687-3
 Map No. 2049-3 Water Division No. 3 BIG SIOUX RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Pickard Farms, Inc. - James P. Pickard
 Postoffice address Bruce, State South Dakota
 If a corporation show date and place of incorporation Monday, County - 1963
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
 3. Name of diversion work Pickard Farms Inc Irrigation Project H.1
 4. Amount of water claimed (cubic feet per second) 4.3
 5. Source of water supply well
 6. Location of point of diversion 2600' N 86°E of Sec corner sec 13-111-50.

- County Brookings
 7. Annual period or periods during which water is to be used April through October
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 9. For irrigation use, Total number of acres to be irrigated 300

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.
NW ¹ of NW ¹ Sec 13-111-50	39	NW ¹ of SW ¹ Sec 13-111-50	29
NE ¹ " " " " "	40	NE ¹ " " " " "	40
SW ¹ " " " " "	37	SW ¹ " " " " "	38
SE ¹ " " " " "	40	SE ¹ " " " " "	37

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
 12. Principal Features of the Proposed Water Supply System.
 A. Works proposed to divert water from its natural source. Electrically driven deep well turbine
 B. Works proposed to transport water to place of use. 0.1050 d conduit
 C. Works proposed to apply water to beneficial use. Center Pivot Irrigation machine

Estimated Total Cost \$ 80,000

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

STATE OF SOUTH DAKOTA

County of Brookings

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

Signed James P. PickardSubscribed and sworn to before me this 3 day of April 1976

Notary Public (or other qualified officer)

P.E. 1916

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2687-3
PICKARD FARMS, INC. BRUCE BROOKINGS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 51220 51006
 (State) With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application APRIL 14 19 76
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of correct application — 19 —
 Approved MAY 20 19 76 Recorded in Book 15 Page 134

WATER RIGHT PERMIT NO. 2687-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2687-3 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 14 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20 19 78
3. The whole of said work is to be completed on or before MAY 20 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20 19 84
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 4.3 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 20 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 8TH day of JUNE 19 76

WATER RESOURCES COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 40'
 (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 3/16"
 (3) Perforated Screen.
 Type Cent. Iron Slot, Diameter 14", Length 10'
 (4) Gravel Pack, Thickness 7", Length of gravel pack 20'

E. Dugout Information or Estimates.

- (1) Surface dimensions , Depth

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

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

Character of Water bearing materials 0' to 5' - Overburden,
5' to 40' coarse gravel, over 40' is
blue clay

Depth to top of water bearing material 5'
 Depth to bottom of water bearing material 40'
 Thickness of water bearing material 35'
 Depth to water (ground surface to water level) 4'

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

On same owner's property 100 rds. On property owned by others 180 rds.

G. Water Storage Dams.

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

Richard J. Finner
James Richard
 Signature of Applicant

March 22, 1976

Pickard Farms, Inc.
R.R. #2
Brookings, SD 57006

Dear Sir:

I am enclosing herewith the original copy of the report of analysis on water sample #76-153 which you should keep. I am also returning the irrigation design sheets which the Soil Conservation Service worked out for you. You should make use of those in the future. In addition, I am enclosing a copy of AES publication #13 with the approximate quality of this water for irrigation purposes indicated by a red cross in the chart on the outside back cover of this publication. Please read the publication for some information concerning soil-water reactions.

The water is moderately good for irrigation and should cause no difficulty with the soils you intend to irrigate, except for mild salinity build-up from time to time. This, however, should be removed effectively by the occasionally substantial rains which we get and I anticipate no difficulty. If, however, it does build up to the point of interfering with crop performance, get in touch with us for recommendations on water management procedures to minimize salt impact.

A copy of the water analysis, and of this letter, as well as the WI-1 form are being sent to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab

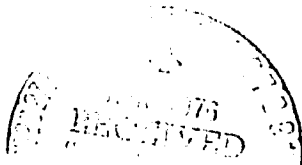
LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

D. Boone, County Extension Agent



CONSERVATION
COMMISSION
WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED WELL IRRIGATION ONLY)

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED APPROVED

DISAPPROVED _____

NAME Pickard Farms Inc

ADDRESS R.R. 1

COUNTY Brinkley S.D.

LEGAL DESCRIPTION

1. WELL LOCATION 111 - 50 Sec-13

2. AREA TO BE IRRIGATED 1/2 - 1/4 10.2

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) _____

4. CROPS TO BE IRRIGATED _____

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE _____

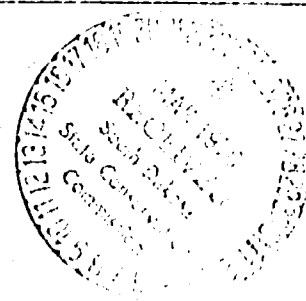
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION _____

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 76-153

8. SALINITY EC = 1035 μ mhos/cm (moderately high)

9. SODIUM SAR = 0.97 (low)



I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:

THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

Soil Conservation

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

James R. Paul

SUBSCRIBED AND SWORN BEFORE ME THIS

19th DAY OF March 1976.

Walter Eugene H. H. H. H.

Notary Public

(TITLE)

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

Submitted by: Pickard Fortas
 Address: Rt. 2
Brookings, SD 57006

Date Rec'd February 25, 1976
 Sample No. 76-153
 Identification Well-200'
NW 1/4, Sec. 13, T 111N, R 50W

WATER ANALYSIS

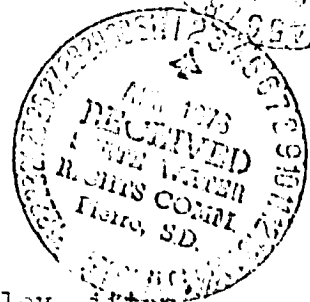
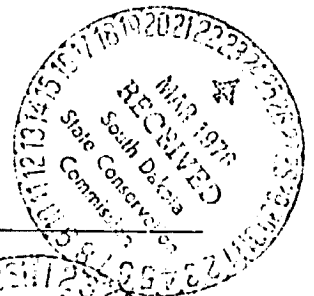
Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	54	ppm	4.43	me/l
Sodium (Na)	51	ppm	2.22	me/l
Potassium (K)	10	ppm	0.25	me/l
Sulfate (SO ₄)	85	ppm	1.77	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	625	ppm	10.24	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	512	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1035	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.97			
Sodium	17.20	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.14			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 12.90 me/l
 Total anions 12.09 me/l



By: Shirley Lutan

Service Performed

Amount Enclosed

Irrigation analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-153

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

No. 2687-3

Publish first publication, on or before May 6, 19 70

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 27, 19 70

Pickard Farms, Inc.

Notice is hereby given that _____
whose post office address is Bruce, 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
4.3 cubic feet of water per second of time from the ground water through the
Pickard Farms Project #1, the point of diversion of which is to be located in the _____

SE 1/4 SW 1/4

of Section 13, Twp. 111N, Range 50W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

W 1/2 Section 13, T111N, R50W

This application No. 2687-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 20th day of May, 19 70, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

James Pickard, Pickard Farms, Inc., Bruce, S.D. 57220

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

No. 2687-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, James M. McLehlan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register.

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 Brookings

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

May 3, 1976

May 10, 1976th

J. M. McLehlan Jr.
(Signature)
Editor - General Manager
(Title)

May 10, 1976
(Date Signed)

No. 218-May 3 & 10
**NOTICE
INTENT TO APPROPRIATE WATER**
Pierre, South Dakota 57501
April 27, 1976
Notice is hereby given that Pickard
Farms, Inc. whose post office address is
Brookings, 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 4.3 cubic feet of water per
second of time from ground water
through the Pickard Farms Project No.
1, the point of diversion of which is to be
located in the SE 1/4 SW 1/4 of Section 13,
Twp. 111N, Range 50W. Said water to be
used for the purpose of providing
irrigation on portions of the following
described land: W 1/4, Section 13, T111N,
R50W
This application No. 2687-3 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 RESOURCES COMMISSION
BY: BURTON F. JONES
Water Rights Specialist**



SPEED LETTER

TO Mr Burton Jones

FROM Pickard Farms Inc.

Water Rights Commission

James Pickard

Pierre, S. Dak. 57501

Brookings, S. Dak. 57006

SUBJECT _____

— No. 6 & 10 FOLD

MESSAGE

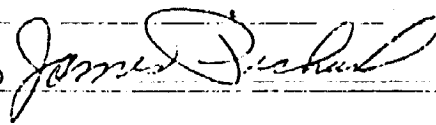
DATE 3-2-77 19__

Would like to change our diversion point from SW corner sec. 13 to
NE corner of sec 24 as shown on enclosed map. Acres to be irrigated
will remain the same. Permit No. 2687-3.

Also change our address to Pickard Farms Inc. Brookings, S. D. not
Bruce, S. Dak.

Respectfully: James Pickard

SIGNED



REPLY

DATE _____ 19__

— No. 9 FOLD

— No. 10 FOLD

SIGNED _____

Permit No. 2687-3Water Division 3 Big Sioux 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 PICKARD
FARMS, INC. of BROOKINGS holder
of Permit No. 2687-3, bearing date of priority of April 14, 1976
authorizing the diversion of 4.3 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in BROOKINGS 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:

46' DEEP WELL WITH 16" STEEL CASING - 15' SS SCREEN
NATIONAL PUMP CO 10" PUMP. MODEL N260 SERIAL #377-436
POWERED BY 100 HP GE ELECTRIC MOTOR

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

1400' OF 8" ALUMINUM LINE
1800' OF 10" BURIED PLASTIC
2620' OF 8" BURIED PLASTIC

C. Works used to apply water to beneficial use.

ELECTROGATOR 8 TOWER CENTER PIVOT MODEL 26ES
SERIAL #577C4452 1284' LONG WITH #150 END GUN

The system is in the following condition: GOOD

The point of diversion is located N 92° E, 4.25' FROM THE SW CORNER,
SECTION 13, T11N, R50W *

The works are capable of diverting and conveying to the place of use 1.88 (850 GPM)
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: ALL IN SEC 13, T11N, R50W

NW ⁴ NW ⁴	34 ACRES	NW ⁴ SW ⁴	26 ACRES
NE ⁴ NW ⁴	"	NE ⁴ SW ⁴	34 "
SW ⁴ NW ⁴	"	SW ⁴ SW ⁴	34 "
SE ⁴ NW ⁴	34 "	SE ⁴ SW ⁴	34 "

comprising a total of 264 acres of land.

* BOARD MODIFIED THE PERMIT TO REFLECT CHANGE
OF DIVERSION POINT IN ACTION ON 11-10-80

Date OCTOBER 1, 1980
[Signature]
(Signature)

THE WELL AS DRILLED IS LOCATED ABOUT 1400' E OF THE LOCATION SHOWN ON THE PERMIT. THIS WAS DONE TO GET TO THE EAST SIDE OF THE DRAW FOR A BETTER WATER SUPPLY. THIS PUTS THE IRRIGATION WELL ABOUT 900' FROM EXISTING DOMESTIC WELLS. SYSTEM HAS BEEN IN USE SINCE 1977, AND NO INTERFERENCE HAS BEEN ENCOUNTERED. THE CHANGE ALSO ALLOWS MORE DISTANCE BETWEEN APPROVED IRRIGATION PERMITS. THE SYSTEM USES 1.88 CFS (850 GPM) INSTEAD OF THE 4.3 CFS APPROVED IN THE PERMIT.

QUESTION: CAN THE BOARD RECOGNIZE THIS AS A MODIFICATION TO THE PERMIT?

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

Jon Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

August 24, 1961

Pickard Farms, Inc.
Brookings,
South Dakota 57006

Dear Mr. Pickard:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 2687-3 has been completed. Your final water right document, the Water License, can now be issued.

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

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN WERNSMANN
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

Water Rights Division
605 773-3352

November 5, 1981

SECOND NOTICE
2687-3

Pickard Farms, Inc.
Brookings,
South Dakota 57006

Dear Sir:

On August 24, 1981 you were notified concerning the final inspection fee of \$50.00 which is due before Water License No. 2687-3 and Certificate of Completion of Work can be issued. As of this date, the fee has not been received.

State Statutes requires a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your water permit.

Please advise this office if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

2687-3

DIVISION OF WATER RIGHTS

(605) 773-3352

May 7, 1982

return receipt 5-11-82

Pickard Farms, Inc.
Brookings, South Dakota 57006

THIRD NOTICE

Dear Sirs;

On August 24, 1981 and November 5, 1981 you were notified concerning the final inspection fee of \$50.00 which is due before Water License No. 2687-3 and Certificate of Completion of Works can be issued. As of this date, the fee has not been received.

State Statutes requires a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your water rights.

Please remit this amount within 30 days of the date of this letter. If the inspection fee is not submitted, your permit can be cancelled for non-perfection of the right the same as if the project was not built or if water was not put to beneficial use. Failure to comply could result in a revocation of your water permit. This would mean any completed works would have to be removed and further diversions of water would not be allowed.

Please advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:gy:ms

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2687-3

(1) WHEREAS, On the 14th day of April A. D. 19 76
Pickard Farms, Inc.

made Water Right Application No. 2687-3 for a permit to use 4.3 cubic feet per second of the waters of groundwater (one well)
 County of Brookings State of South Dakota, for Irrigation
 purposes; and

(2) WHEREAS, On the 20th day of May A. D. 19 76
 Permit No. 2687-3 with a date of priority of April 14, 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 84

WHEREAS, on the 10th day of November, 1980 the Water Management Board modified Permit No. 2687-3 to reflect a change in diversion point.

and.

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.88 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 land all in Section 13, T111N, R50W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres	(BB)
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres	(BA)
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres	(BC)
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres	(BD)
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26 acres	(CB)
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34 acres	(CA)
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 34 acres	(CC)
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 34 acres	(CD)
TOTAL 264 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 Richard L. rms

_____ of Brookings, South Dakota

the holder s and owner s of said permit No. 2687-3 a water right, dating from April 14, 1976

_____ to use of 1.88 cubic feet per second of the waters

of groundwater (one well)

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

purposes hereinbelow mentioned, to be diverted at a point N 92°E, 4125' from the SW Corner Section 13,

T111N, T50W (AA) Section 24)

and conducted to and upon portlens of Section 13, T111N, R50W more fully
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2687-3 and subject to the laws of the State of South Dakota.

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

this 18th day of May A. D.

Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 2687-3

Water Diversion No. 3 Big Sioux River Water District
10170202

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Pineard Farms, Inc.

_____ the holder S of
Permit No. 2687-3, issued upon Application No. 2687-3, bearing date of priority of April 14, 1976
authorizing the diversion of 4.3 cu. ft. per second of the waters of groundwater (one well)
County of Brookings, State of South Dakota at a point N 92°E, 4125' from the SW Corner, Section 13, T111N., R50W

_____ for Irrigation

purposes, has ye 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 1.88 cu. ft. per second of water.

Date May 18, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8833

PIERRE,

May 17, 1982

19

RECEIVED OF Pickard Farms, Inc. Route 2, Box 64, Brookings SD 57006

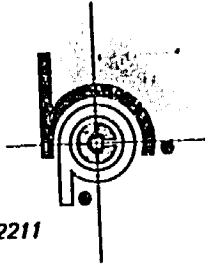
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 2687-3)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2687-3)		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (ks)



Phone 692-2211

HAROLD'S
PRINTING
COMPANY
216 FIFTH AVENUE
BROOKINGS, S D 57008

We will be Pumping
Water From Brookings
County not Turner
County

287-3

Water Rights Division
605-773-3352

November 16, 1982

2687-3

Pickard Farms, Inc.
Rt 2, Box 64
Brookings SD 57006

Dear Sir:

Enclosed please find your Water License No. 2687-3. Your copy and our records have been corrected so they will read Brookings County. Thank you for bringing this error to our attention.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

enclosure



Department of Water & Natural Resources

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

August 8, 1986

2687-3
4250-3
4442-3

Mike McCann
PO Box 78
Brookings SD 57006

Dear Mr. McCann:

Enclosed are copies of Water Right Nos. 2687-3 and 4442-3 and Water Permit No. 4250-3, listed in the name of Pickard Farms and Ronald D. Pickard. According to a telephone conversation with your office August 8, these water rights are going to be transferred to Frudential Insurance Company.

Enclosed are partially completed transfer forms. These forms should be dated, signed in the presence of a notary public and returned to our office with a filing fee of \$2.50 each (total \$7.50). Upon receipt of the completed 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 Permit or Water Right to appropriate water to be filed with this office within ninety days.

If I can answer any questions for you, please advise.

Sincerely,

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

GENNY MCMATH
Natural Resources Analyst

GM:ks

enclosure

Water Rights Division - DWNH
Conversation or File Documentation

File No. 2687-3
4250-3
4442-3

NAME OF PERSON OR FILE: Mike McCann, Attorney

ADDRESS: Brookings, SD COUNTY

DATE: January 21, 1987 TELEPHONE 692-6163

RE: status of transfers for above permits

COMMENTS:

I called Mr. McCann to find out the status of the transfers for Water Permit Nos. 2687-3, 4250-3 and 4442-3. He requested forms in August, 1986 to transfer the permits from Pickard Farms to Prudential Insurance Company. Spoke with Diane who is working with Mr. McCann on the files; she stated they realized the forms were to be filed with us, they were awaiting the sale. She stated the lands were being foreclosed upon and it may be awhile before the actual transfers are filed.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Denny McMath

 **Department of
Water & Natural Resources**

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

March 20, 1989

2687-3

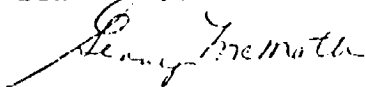
Jim Wiederrich, Attorney
310 S First Ave
Sioux Falls, SD 57102

Dear Mr. Wiederrich:

Enclosed, as you requested, are two "Notice of Transfer" forms for filing an ownership change on Water Right No. 2687-3. The water right, currently listed in the name of Pickard Farms, Inc., authorizes irrigation of 264 acres in the W 1/2 of Section 13, T111N, R50W.

Upon completion of the form(s), please return them to us with a required filing fee of \$2.50 (each). If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



10/ce
11.1.89

ERICKSON, HELSPER & O'BRIEN, P.C.

LAWYERS
P.O. BOX 198

806 TWENTY-SECOND AVENUE SOUTH
BROOKINGS, SOUTH DAKOTA
57006-0198

DIAL 692-7775
AREA CODE 605
FAX 692-4611

LEWAYNE M. ERICKSON
RICHARD J. HELSPER
SEAN M. O'BRIEN
ERIC N. RASMUSSEN
TERRY D. WIECZOREK

April 17, 1989



Ms. Jenny McMath
Department of Water & Natural Resources
State of South Dakota
Joe Foss Building
Pierre, South Dakota 57501

RE: M. KATHERINE BADER

Dear Ms. McMath:

I am enclosing two Notices of Transfer of Water Permit. The first transfer is from Pickard Farms, Inc., to the Prudential Insurance Company of America. The second transfer is from Prudential Insurance Company to M. Katherine Bader whom I represent.

I would appreciate it if you would acknowledge receipt of the same and advise the Department of Agriculture of this filing. I would then appreciate it if Jim Stuckel of the Department of Agriculture would confirm receipt of these notices.

Thank you very much.

Sincerely,

ERICKSON, HELSPER & O'BRIEN, P.C.

Richard J. Helsper
RICHARD J. HELSPER

RJH:nmh

Enclosures

 **Department of
Water & Natural Resources**

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

April 18, 1989

2687-3

Richard J. Helsper
ERICKSON, HELSPER & OBRIEN, PC
PO Box 198
Brookings, SD 57006-0198

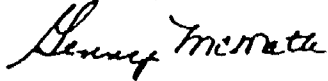
Dear Mr. Helsper:

We are in receipt of the two "Notice of Transfer" forms you submitted for use in filing ownership changes on Water Right No. 2687-3. I am returning the forms to you for more information. Before the transfers can be completed the following is needed:

1. Complete mailing addresses for Prudential Insurance Company and M Katherine Bader;
2. The "Notice of Transfer" which changes ownership of the water right to M Katherine Bader should be signed by her (as the new owner) instead of the Vice President of Prudential Insurance Company; and
3. A \$2.50 filing fee for each transfer, total of \$5.00.

Upon receipt of the corrected forms and the \$5.00 filing fees, the transfers will be completed. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



ERICKSON, HELSPER & O'BRIEN, P.C.

LAWYERS

P.O. BOX 198

806 TWENTY-SECOND AVENUE SOUTH

BROOKINGS, SOUTH DAKOTA

57006-0198

DIAL 692-7775
AREA CODE 605
FAX 692-3611

LEWAYNE M. ERICKSON

RICHARD J. HELSPER

SEAN M. O'BRIEN

ERIC N. RASMUSSEN

TERRY D. WIECZOREK

June 15, 1989

Ms. Genny McMath
Natural Resources Analyst
Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501



RE: WATER PERMIT NO. 2687-3 - M. KATHERINE BADER

Dear Genny:

Enclosed is Notice of Transfer of Water Permit signed by M. Katherine Bader with the attached check in the sum of \$2.50. Also enclosed is the Notice of Transfer of Water Permit signed by John Nitz, Vice President of The Prudential Insurance Company of America together with our attached check in the sum of \$2.50.

Pursuant to your letter of April 18, 1989, please be advised that the address for Prudential Insurance Company is 1431 Opus Place, Suite 665, Downers Grove, Illinois 60515. The address for Ms. Bader is Post Office Box 2444, Corpus Christi, Texas 78403.

Please forward to me verification of the transfers of these water rights.

Thank you very much.

Sincerely,

ERICKSON, HELSPER & O'BRIEN, P.C.

RICHARD J. HELSPER

RJH:hmh

Enclosures

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: April 4, 1989

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

The West Half (W $\frac{1}{2}$) of Section 13, Township 111 North, Range 50 West of the Fifth Principal Meridian, Brookings County, South Dakota,

formerly owned by The Prudential Insurance Company of America

has been transferred to M. Katherine Bader PO Box 2444, Corpus Christi, Texas 78403
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2687-3 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.

Texas
STATE OF ~~X M KATHERINE BADER~~)
Nueces) ss.
County of ~~X M KATHERINE BADER~~)

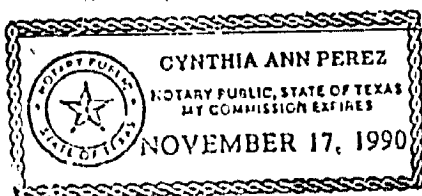
I, M. KATHERINE BADER being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

M. Katherine Bader
(Signed)
M. Katherine Bader

Subscribed and sworn to before me this 5th Day of April ~~June~~, 1989.

My Commission Expires:

Cynthia Ann Perez
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 21, 1989

RECEIVED OF M. Katherine Bader, PO Box 2444, Corpus Christi, TX 78403

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 Water Right No. 7687-3	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 Johannes /man
Chief Engineer

South Dakota Department of
Water & Natural Resources

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

June 23, 1989

2687-3

M Katherine Bader
PO Box 2444
Corpus Christi, TX 78403

Dear Ms. Bader:

The transfer of Water Right No. 2687-3 has been completed. The water right formerly owned by Pickard Farms and Prudential Insurance Company has been transferred to your name. A copy of the transfer form has been forwarded to the Department of Agriculture for their files.

Enclosed is Receipt No. 411804 in the amount of \$2.50 which you paid for the transfer. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosure

cc: Erickson, Helsper & O'Brien, P.C.





2687-3

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

February 1, 1991

M KATHERINE BADER
PO BOX 2444
CORPUS CHRISTI TX 78403

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s) 2687-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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



GREAT FACES. GREAT PLACES.

February 1, 1991

2687-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GEORGE BADER
BOX 2444
CORPUS CHRISTI TX 78403

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 3347-3; & (2687-3)

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 3347-3; & 2687-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

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

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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). 3347-3; & 2687-3 until either the 1990 chemigation report(s) 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.

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th 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.

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

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

3. Article Addressed to:

M KATHERINE BADER
PO BOX 2444
CORPUS CHRISTI TX 78403

4. Article Number
P694057512

Type of Service:

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

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

5. Signature — Addressee
X

6. Signature — Agent
X *K. Erickson*

7. Date of Delivery
10-10-89

ADDRESSEE'S ADDRESS (ONLY if requested and fee paid)
2444

U.S. POSTAL SERVICE
CORPUS CHRISTI, TX 78403
FILED
1989
USPO

PS Form 3811, Apr. 1989

• U.S.G.P.O. 1982-238-015

DOMESTIC RETURN RECEIPT



2687-3

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

February 20, 1991

(2687-3)
3347-3

George & Katherine Bader
PO Box 2444
Corpus Christi, TX 69219

Dear Mr & Mrs Bader:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and chemical application data for Water Permit Nos. 2687-3 and 3347-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use.

Tim Barton contacted our office February 19, 1991 and stated the information pertaining to your permits was reported under Permit No. 4241-3 for GDB Farms. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



2687-3

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

December 30, 1992

No. 2687-3

Rodney Foster
RR 2, Box 89
Brookings, SD 57006

Dear Mr. Foster:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2687-3. The water right is currently listed in the name of M. Katherine Bader.

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

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

If you have any questions, please contact me.

Sincerely,

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

enclosure



2687-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

March 8, 1993

SECOND NOTICE
PERMIT NO. 2687-3

Rodney Foster
RR 2, Box 89
Brookings, SD 57006

Dear Mr. Foster:

On December 30, 1992, notice was sent to you concerning the transfer of Water Right No. 2687-3 in the name of M. Katherine Bader. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

2687-3

4a. Article Number:

P 318 052 505

4b. Service Type

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

7. Date of Delivery

3/10

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

Rodney Foster
RR 2, Box 89
Brookings, SD 57006

5. Signature (Addressee)

Rodney Foster

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323 452

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

DENHOLM, GLOVER & BRITZMAN

Attorneys and Counselors at Law

2687-3

FRANK E. DENHOLM
ALAN F. GLOVER
STEVEN J. BRITZMAN



MAIN OFFICE AND LIBRARY—418 FOURTH STREET
POST OFFICE BOX 686
BROOKINGS, SOUTH DAKOTA 57006-0686
TELEPHONE (605) 692-2111
FACSIMILE (605) 692-4808
BRANCH OFFICE: VOLGA, SOUTH DAKOTA 57071
TELEPHONE (605) 627-9421 (SATURDAYS ONLY)



May 26, 1993

WATER RIGHTS DIVISION, DENR
ATTENTION: ROD DOWELL
100 EAST BROADWAY
SIOUX FALLS, SOUTH DAKOTA 57104-3181

Re: Enclosed Transfer of Ownership

Dear Sir:

I enclose herein a Notice of transfer of Ownership together with the required fee which is submitted on behalf of RODNEY and JOCELYN D. DOWELL.

Very truly yours,

Sincerely,

DENHOLM, GLOVER & BRITZMAN LAW FIRM

Steven J. Britzman *SJB*

STEVEN J. BRITZMAN
(Signature Authorized)

SJB
JFG
JTB

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2687-3

Date: _____



I/We request that Water Right No. 2687-3

formerly owned by: M Katherine Bader

be transferred to: Rodney Foster, R/R #2 Box 89, Brookings, SD 57006 (Telephone No.) & Loretta J Foster

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

W 1/2 Section 13, T111N, R50W

I/We understand that the validity of Water Right No. 2687-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note)

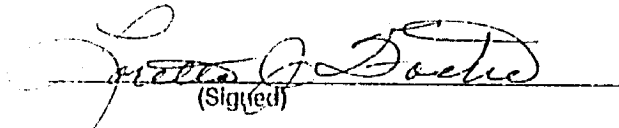
You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership

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

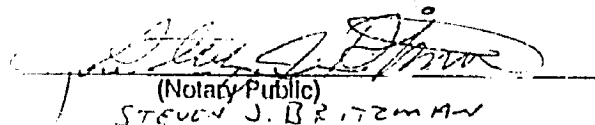
STATE OF SOUTH DAKOTA)

County of Brookings)

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


(Signed)

Subscribed and sworn to before me this 26th day of May, 19 93.


(Notary Public)
STEVEN J. BRITZMAN

My Commission Expires March 24, 1999.

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

2687-3
413783

Pierre, May 28, 19 93

RECEIVED FROM: Mr. & Mrs. J. H. Smith, SD 57006

Amount of money paid for services rendered as provided for by law:

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

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

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

For to inspect and/or Constructed Works, confirming beneficial use and issuing Water
Permit No. _____

For to deliver Transfer Form _____

For to deliver Construction Permit _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

For _____

2 50

Total

2 50

By John H. Smith
Chief Engineer



2687-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 1993

No. 2687-3

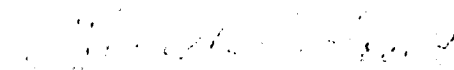
Rodney and Loretta J. Foster
PR 2, Box 89
Brookings, SD 57006

Dear Mr. and Ms. Foster:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2687-3.

Our records now show you as the owner of Water Right No. 2687-3.

Sincerely,


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

enclosure

is your RETURN ADDRESS completed on the reverse side?

Place the return address in
Fold along overlap of envelope to

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.

3. Article Addressed to:

RODNEY FOSTER
RR 2 BOX 89
BROOKINGS SD 57006

2687-3

5. Received By: (Print Name)
J J

4a. Article Number

P 378081344

4b. Service Type

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

7. Date of Delivery

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

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

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

Consult postmaster for fee.

Thank you for using Return Receipt Service.

Return Receipt

2687-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: RODNEY FOSTER, RR 2 BOX 89, BROOKINGS, SD 57006

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3 & 4155-3. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3 & 4155-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with 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.



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

February 21, 1997

2687-3

4154-3

4155-3

Steven R Foster
20444 47th Ave
Brookings, SD 57006

Dear Mr. Foster:

I am writing to acknowledge receipt the 1996 irrigation questionnaires for Rodney/Loretta Foster and Gerald Foster. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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

I have made the address change notation you wrote on the questionnaires. All forms will be directed to your attention until you let us know otherwise. If you have any questions, please contact me.

Sincerely,

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



2687-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: STEVEN FOSTER, OP, 20444 471 AVE, BROOKINGS, SD 57006

**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 has not been submitted for Permit No(s) 2687-3, 4154-3 & 4155-3. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3 & 4155-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

**cc: RODNEY FOSTER, RR 2 BOX 89, BROCKINGS, SD 57006
GERALD FOSTER, RR 2 BOX 85, BROOKINGS, SD 57006**

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.

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

STEVEN FOSTER, OP
20444 471 AVE
BROOKINGS SD 57006

2687-3

4a. Article Number

2179 157200

4b. Service Type

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

7. Date of Delivery

1-12-98

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Steven Foster*

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RODNEY & LORETTA FOSTER
RR 2 BOX 89
BROOKINGS, SD 57006

2687-3

4a. Article Number

2179 157201

4b. Service Type

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

7. Date of Delivery

1-12

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Rodney Foster*

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

GERALD FOSTER
RR 2 BOX 85
BROOKINGS, SD 57006

2687-3

4a. Article Number

2179 157202

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Gerald Foster*

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

2687-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 1998

2687-3
4154-3
4155-3

Steven Foster
20444 471st Ave
Brookings, SD 57006

Dear Mr. Foster:

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 Nos. 2687-3, 4154-3 and 4155-3.

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

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

c: Rodney Foster, RR 2 Box 89, Brookings, SD
Gerald Foster, RR 2 Box 85, Brookings, SD



January 22, 1999

2687-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: STEVEN FOSTER, OP, 20444 471 AVE, BROOKINGS, SD 57006

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3, 4154-3 & 4155-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3 & 4155-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

C: RODNEY FOSTER, RR 2 BOX 89, BROOKINGS, SD 57006

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.

2687-3

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:

Rodney Foster
RR 2 Box 89
Brookings, SD 57006

4a. Article Number
P 378 080 621

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)
Rod F.

6. Signature: (Addressee or Agent)
Rodney Foster

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

PS Form 3811, December 1994 102595-98 B 0229 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

2687-3



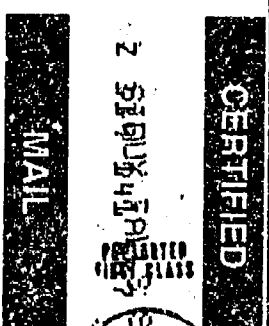
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

RETURN SERVICE REQUESTED



REASON CANCELED
Unclassified
Attempted Not Known
Insufficient Address
No such street
No such office in state
Do not remove from this envelope

STEVEN FOSTER OP
20444 471 AVE
BROOKINGS SD 57006



REASON CANCELED
Unclassified
Attempted Not Known
Insufficient Address
No such street
No such office in state
Do not remove from this envelope

2-7-98
1-23-98
1-28-98

POSTAGE WILL BE PAID BY ADDRESSEE
FIRST CLASS PERMIT NO. 1064 ST. LOUIS, MO

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 the 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.

3. Article Addressed to:

STEVEN FOSTER, OP
20444 471 AVE
BROOKINGS SD 57006

4a. Article Number

2119141667

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

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

- ☐ Addressee's Address
 - ☐ Restricted Delivery
- Consult postmaster for fee.

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

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 10256-07-8-0175 Domestic Return Receipt

288

2687-3



2687-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 1999

2687-3
4154-3
4155-3

Steven Foster
20444 471st Ave
Brookings, SD 57006

Dear Mr. Foster:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit No. 2687-3, 4154-3 and 4155-3.

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

If you have any questions, please contact me.

Sincerely,

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

c: Rodney Foster



2687-3
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: STEVEN FOSTER, OP, 20444 471 AVE, BROOKINGS, SD 57006

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 has not been submitted for Permit No(s) 2687-3, 4154-3 & 4155-3. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

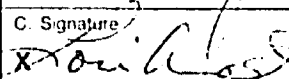
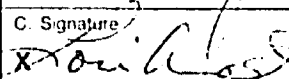
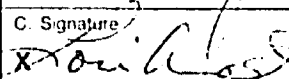
1. Amend Permit No(s) 2687-3, 4154-3 & 4155-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: RODNEY FOSTER, RR 2 BOX 89, BROOKINGS, SD 57006

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.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY								
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">A. Received by (Please Print Clearly)</td> <td style="width: 50%; padding: 5px;">B. Date of Delivery 1-15-00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">C. Signature </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> ☐ Agent ☒ Addressee </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below. ☐ No </td> </tr> </table>	A. Received by (Please Print Clearly)	B. Date of Delivery 1-15-00	C. Signature 		☐ Agent ☒ Addressee		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below. ☐ No	
A. Received by (Please Print Clearly)	B. Date of Delivery 1-15-00								
C. Signature 									
☐ Agent ☒ Addressee									
D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below. ☐ No									
1. Article Addressed to: STEVEN FOSTER, OP 20444 471 AVE BROOKINGS SD 57006	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> 3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. </td> <td style="width: 50%; padding: 5px;"> 4. Restricted Delivery? (Extra Fee) ☐ Yes </td> </tr> </table>	3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	4. Restricted Delivery? (Extra Fee) ☐ Yes						
3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	4. Restricted Delivery? (Extra Fee) ☐ Yes								
2. Article Number (Copy from service label)	2227670336								
PS Form 3811, July 1999 Domestic Return Receipt 102595 99 M-1785									

2. Article Number (Copy from service label)

Domestic Return Receipt

102595 99 M-1789

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ☒ Print your name and address on the reverse so that we can return the card to you. ☒ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Received by (Please Print Clearly) L. Foster B. Date of Delivery 1-15-01 C. Signature ☒ Agent ☐ Addressee D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: Rodney Foster RR 2 Box 89 Brookings SD 57006	3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number (Copy from service label)	4. Restricted Delivery? (Extra Fee) ☐ Yes
2 227 670 337	
PS Form 3811, July 1993	

Domestic Return Receipt
 102595 99 M-1789



2687-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 2, 2000

2687-3
4154-3
4155-3

Steven Foster
20444 471st Ave
Brookings, SD 57006

Dear Mr. Foster:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 2687-3, 4154-3 and 4155-3.

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

If you have any questions, please contact me.

Sincerely,

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

c: Rodney Foster

2687-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

STEVEN FOSTER, OP
20444 471 AVE
BROOKINGS SD 57006

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3581

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rodney Foster
RR 2 Box 89
Brookings SD 57006

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent☒ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3574

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



2687-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: STEVEN FOSTER, OP, 20444 471 AVE, BROOKINGS, SD 57006

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit Nos. 2687-3, 4154-3 & 4155-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, 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. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 2687-3, 4154-3 & 4155-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaires are received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaires, please contact Genny McMath at (605) 773-3352.

c: RODNEY FOSTER, RR 2 BOX 89, BROOKINGS, SD 57006

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2001

2687-3
4154-3
4155-3

Steven R Foster
20444 471st Ave
Brookings, SD 57006

Dear Mr. Foster:

I am writing to acknowledge receipt of your "2000" irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 2687-3, 4154-3 and 4155-3.

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

If you have any questions, please contact me.

Sincerely,

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

c: Rodney Foster



2687-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: STEVEN FOSTER, OP, 20444 471 AVE, BROOKINGS, SD 57006

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3, 4154-3 & 4155-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3 & 4155-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

CC: RODNEY FOSTER, RR 2 BOX 89, BROOKINGS, SD 57006

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.



2687-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5768

Your item was delivered at 11:04 am on January 18, 2003 in
BROOKINGS, SD 57006. The item was signed for by S FOSTER.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

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U.S. Postal Service Signature Confirmation Receipt	
SIGNATURE CONFIRMATION NUMBER: 2301 0370 0000 7540 5768	STEVEN FOSTER, OP 20444 471 AVE BROOKINGS SD 57006
	Ing.
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For inquiries: Access Internet web site at www.usps.com or call 1-800-222-1811	
☐ Priority Mail ☐ Package Services	
PS Form 100, February 2001	



2687-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5775

Your item was delivered at 1:19 pm on January 18, 2003 in
BROOKINGS, SD 57006. The item was signed for by R FOSTER.

[Request Delivery Record >](#)

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Enter label number:

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U.S. Postal Service Signature Confirmation Receipt	
SIGNATURE CONFIRMATION NUMBER: 2301 0370 0000 7540 5775	RODNEY FOSTER RR 2 BOX 89 BROOKINGS SD 57006
	Postmark Here
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811
	☐ Priority Mail ☐ Package Services
PS Form 3825, February 2001	



2687-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 2003

2687-3
4154-3
4155-3
4468-3

Steven Foster
20444 471 Ave
Brookings SD 57006

Dear Mr. Foster:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 2687-3, 4154-3, 4155-3 & 4468-3.

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

If you have any questions, please contact me.

Sincerely,

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

c: Alvin Schmidt
Rodney Foster

PICKARD FARMS INC.

James Pickard Mgr
Irrigation Project # 1
Bruce S. Dak
Brookings County

Acres Irrigated - 300
Water claimed - 4.3 cfs

Point of Diversion:
2600' N 86° E of SW corner
Sec 13 - 111-50

Surveyor's Certificate
I, John L. Wiersma, do hereby certify
that this map represents a reasonably
accurate record of the land of:

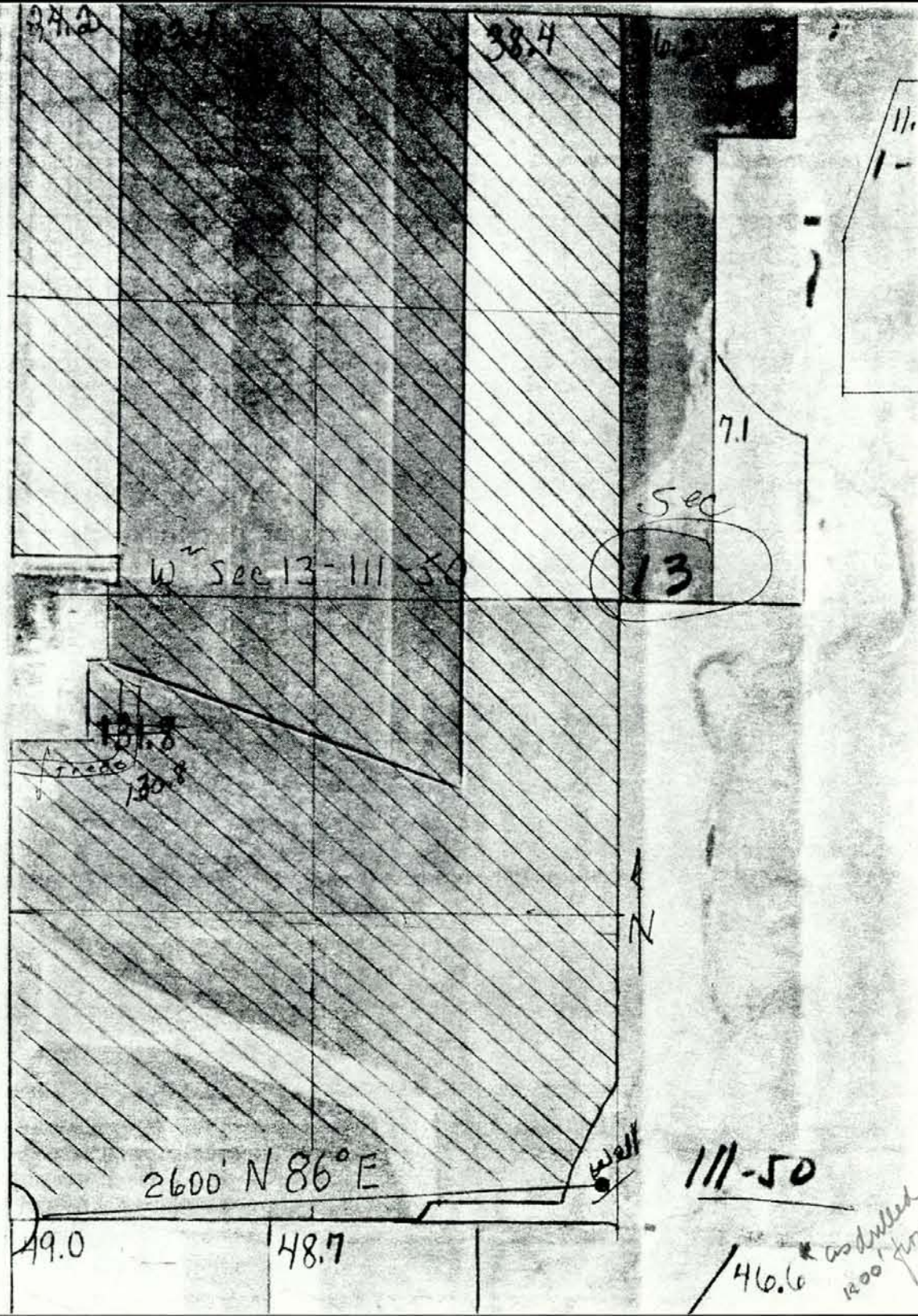
Pickard Farms Inc.

James Pickard Mgr
4-3-76

Bruce S. Dak
Drawn by SLW
P.E. # 1916
Brookings S. Dak

Scale - 8" = 1 Mile John L. Wiersma

~~MAP NO 2687-3~~ 3 APPL NO 2687-3



24.2

103.4

38.4

26.2

11.4

43.3

1-94

7.1

11.9

13

37.9

13.8

130.8

0292

8" BURIED PLASTIC

10" BURIED PLASTIC
1800'

111-50

8" ALUMINUM

Well as drilled
64 rods W of
5 rods N of
D. version
Print

49.0

48.7

N 92° E - 4125'

46.6

well

1-94

50 Pts

Sec. 24



2687-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: STEVEN FOSTER, OP, 20444 471 AVE, BROOKINGS, SD 57006

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(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>

c: GERALD FOSTER, 20610 473RD AVE , BROOKINGS, SD 57006

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 28, 2007

Steven Foster
20444 471st Ave
Brookings SD 57006

RE: Water Right Nos. 2687-3, 4154-3, 4155-3 & 4468-3

Dear Mr. Foster:

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. 2687-3, 4154-3, 4155-3 & 4468-3.

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



2687-3
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 26, 2018

NOTICE

TO: STEVEN FOSTER, OP, 20454 471 AVE, BROOKINGS, SD 57006

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 7, 2018 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** 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>

GERALD FOSTER, 20610 473RD AVE , BROOKINGS, SD 57006

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.

2687-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2018

2687-3
4154-3
4155-3
4468-3

Steven Foster
20454 471st Ave
Brookings SD 57006

Dear Mr. Foster:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 2687-3, 4154-3, 4155-3 & 4468-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive.

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

c: Gerald Foster, 20610 473rd Ave, Brookings SD 57006

2687-3



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: STEVEN FOSTER, OP, 20454 471 AVE, BROOKINGS, SD 57006

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 has not been submitted for Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 as required by administrative rule 74:02:01:14.02. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(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: GLDRKK**

C: GERALD FOSTER, 20610 473RD AVE , BROOKINGS, SD 57006

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.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2021

Steven Foster
20454 471st Ave
Brookings SD 57006

RE: Water Right Nos. 2687-3, 4154-3, 4155-3 & 4468-3

Dear Mr. Foster:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires. Ben Foster completed all four forms online.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 2687-3, 4154-3, 4155-3 & 4468-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Water Rights Program
605 773-3352
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, 2023

NOTICE

TO: STEVEN FOSTER, OP, 20454 471 AVE, BROOKINGS, SD 57006

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 8, 2023 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2687-3, 4154-3, 4155-3 & 4468-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** 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://danr.sd.gov/iq> using this password: NPTLSJ**

c: GERALD FOSTER, 20610 473RD AVE , BROOKINGS, SD 57006

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 31, 2023

Ben Foster
Foster Farms LLC
47346 207th St
Brookings SD 57006-5909

RE: Water Right Nos. 2687-3, 4154-3, 4155-3 and 4468-3

Dear Mr. Foster:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 2687-3, 4154-3, 4155-3 and 4468-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In follow-up to our email communication, enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes on the water rights. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$200). The check or money order for the fee can be made payable to the Water Rights Program.

I have included copies of the water rights for you to keep if you need them. If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

2687-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date March 22, 2023RECEIVED OF Foster Farms LLC 20454 471st Ave., Brookings SD 57006

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>2687-3</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
ERG

PAID

MAR 22 2023

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 1179

Rec't# _____

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

No. 2687-3

Date: 3-20-23

I/We request that Water Right No. 2687-3

formerly owned by: Rodney and Loretta Foster

be transferred to: (name & address)

SW 1/4 Ben Foster 47346 207 Street Brookings, SD
NW 1/4 Kip Foster 20614 473rd Avenue Brookings, SD

Telephone No. (605) 695-4746
(320) 295-2465

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

W 1/2 Section 13, T111N, R50W

I/We understand that the validity of Water Right No. 2687-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Ben Foster
Kip Foster, the new owner, certify that the above information is true and correct.

Ben Foster Kip Foster
(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.

RECEIVED

MAR 22 2023

OFFICE OF
WATER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 23, 2023

2687-3

Ben Foster
47346 207th St
Brookings SD 57006

Kip Foster
20614 473rd Ave
Brookings SD 57006

Dear Sirs:

I am writing to acknowledge receipt of the transfer form and filing fee for changing ownership on Water Right No. 2687-3.

The ownership change has been completed. Water Right No. 2687-3 formerly held by Rodney and Loretta Foster is now listed under Ben and Kip Foster. The annual irrigation questionnaire will be directed to Foster Farms.

Enclosed for your records is a receipt for the filing fee you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
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

May 11, 2026

2687-3 (portion)

Justin Vande Weerd
46659 205th St
Bruce, SD 57220

Dear Mr. Vande Weerd:

We understand that the NW 1/4 of this property authorized under Water Right No. 2687-3, has been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form 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

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

enclosure