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 Book 50 of MISC
 Page 763 # of Pages: 5
 By Carol J. Viet
 Carol J Viet, Register of Deeds 90851
 Fee \$ 30.00

This instrument prepared by:
 Kristi M. Laber
 CADWELL, SANFORD, DEIBERT & GARRY, LLP
 200 East 10th Street, Suite 200
 Sioux Falls, South Dakota 57104
 Telephone: (605) 336-0828

Return To:
 CADWELL, SANFORD, DEIBERT & GARRY LLP
 ATTN: KRISTI LABER -PO BOX 2498
 SIOUX FALLS SD 57101

DECLARATION OF WELL EASEMENT

This Declaration of Well Easement (hereinafter referred to as the "Declaration") is made this 3rd day of December, 2015, by The Jerome Five Limited Partnership, a South Dakota limited partnership, of 27219 - 473rd Avenue, Sioux Falls, South Dakota 57108 (hereinafter referred to as the "Partnership").

A. The Partnership is the owner of certain real estate located in Turner County, South Dakota and legally described as:

Tract 2 of Jerome Five's Addition in the North Half (N½) of Section Sixteen (16), Township Ninety-Eight (98) North, Range Fifty-three (53) West of the 5th P.M., Turner County, South Dakota,

(hereinafter referred to as the "Tract 2"); and

B. The Partnership is the owner of certain real estate located in Turner County, South Dakota and legally described as:

Tract 1 of Jerome Five's Addition in the North Half (N½) of Section Sixteen (16), Township Ninety-Eight (98) North, Range Fifty-three (53) West of the 5th P.M., Turner County, South Dakota,

(hereinafter referred to as "Tract 1"). Tract 1 and Tract 2 are sometimes collectively referred to herein as "Tracts"; and

C. The water well that provides water to Tract 1 is located on Tract 2. Such well shall hereinafter be referred to as the "Well", which shall include the well pump, well accessories, distribution piping, meters, power lines, equipment, materials and such other facilities as may be necessary to maintain the well, any right of use of the water pumped out of

Alpha ☒
 Paid ☒
 Num ☒
 Margin ☒
 Trans ☒
 Scan ☒
 Seal ☒
 Comp ☒
 Comp ☒
 Micro ☒
 Comp ☒

the Well recognized by any governmental authority or simply by rights of land ownership interest, and any equipment for use of the water and well; and

D. The purpose of this Declaration is to provide water from the Well to Tract 1 and to declare use and costs of maintenance of the Well; and

E. It is the Partnership's intent that the benefits and burdens created under this Declaration shall run with the land and be binding on all subsequent owners of the Tracts, all upon the terms and conditions hereinafter provided;

NOW, THEREFORE, the Partnership declares as follows:

1. *Well License.* There are two Wells located on Tract 2, the Well serving Tract 1 (referred to herein as the Well) and a second well serving Tract 2 (the "East Well"). The Well is located to the West of the East Well. The Well and the East Well on the date of this Declaration are operated under a single Water Rights Permit No. 290-3 (the "License"). The License shall be split between the Well and the East Well and two permits issued.
2. *Grant of Easement.* The Partnership, in its capacity as owner of Tract 2 ("Grantor"), grants to the Partnership, in its capacity as owner of Tract 1 ("Grantee"), the permanent right, privilege and authority to continued use of and the right to draw water from the Well along with a permanent easement to and right of access over, across, under, and upon: (i) that thirty foot (30') wide strip of land (extending fifteen feet (15') on either side of any distribution piping and equipment used in conjunction with the Well) commencing at the Well and running to Tract 1; and (ii) that area extending thirty feet (30') from all sides of the Well (collectively referred to herein as the "Easement Area") for the purpose of the operation, maintenance, repair, replacement, and reconstruction of the Well and the distribution piping, meters or other equipment. The Easement Area is more specifically shown on Exhibit "A" attached hereto.
3. *Cost of Maintenance*
 - (a) Grantee shall be solely responsible for the installation, maintenance, and repair of the Well. Grantee shall further be responsible for the cost of any excavation, digging, or trenching necessary for its use of the Well. Grantee shall reasonably restore the surface of the Easement Area to its condition prior to any maintenance, repair, excavation, digging, or trenching of the Easement Area for purposes of exercising its right herein. Unless an emergency would require immediate repairs and maintenance, Grantee shall provide Grantor reasonable advance notice of any repairs or maintenance which may be necessary or required to the Well in the Easement Area.

- (b) Grantee shall be responsible for all costs of operation, maintenance, repair, replacement, and reconstruction of the Well from time to time, excepting only any repairs or replacements made necessary by an intentional or negligent act of Grantor (which in such event such costs shall be solely that of Grantor). The Well shall have its own separate meter to measure the electricity consumption directly from the Well to Tract 1 and billing by the utility company shall be made directly to Grantee for Grantee's payment thereof. Grantee shall be responsible for all costs related to, and for performance of, any water quality sampling and water use reporting required by the State of South Dakota.
4. *Preserving the Easement Area.* Grantor agrees that no structure or obstruction shall be erected or permitted, or any trees planted on or within the Easement Area, and that it will not change the ground elevation thereof without the written consent of Grantee, or perform any act which would interfere or endanger the Well or Grantee's use thereof.
5. *Usage.* Grantee shall have exclusive use of the Well. No water from the Well shall be furnished to Grantor or any other persons or property without Grantee's prior written approval. If at anytime water usage from the Well and East Well is restricted for any reason so that the use of one well reduces the ability to use the other well, Grantor and Grantee shall alternate days of use. If such restriction commences on an even number day of the month, Tract 2 shall have the first day of use. If such restriction commences on an odd number day of the month, Tract 1 shall have the first day of use and the Owners shall alternate days thereafter. If use of the Well is restricted so as not to permit use of the wells on alternating days, use of the Well by Grantee and use of the East Well by Grantor shall be divided equally. If separate use restrictions are placed on the Well and East Well, such separate use restrictions shall be followed and no division of use under this Paragraph 5 shall apply.
6. *Duration; Running With the Land.* This easement is perpetual, touches and concerns the Tracts, runs with such land, and is binding upon all heirs, successors, assigns and occupants of the Tracts.
7. *No Public Dedication.* Nothing contained in this Declaration shall, or is intended to, constitute a gift or dedication of any portion of Tract 2 to the public or for the benefit or use of the general public or for any public purpose whatsoever.
8. *Construction.* In the construction of this Declaration, the use of the neuter shall include the feminine and the masculine, and the use of the singular shall include the plural.
9. *Indemnity.* Grantee, and its successors and assigns, shall protect, defend and indemnify Grantor from and against all loss, costs, damage and expenses occasioned by, or arising out of, any accident or other occurrence, causing or

inflicting injury or damage to any person or property, happening or done in, upon or about the Easement Area due directly or indirectly to the use thereof, or any part thereof by Grantee or any person claiming through or under Grantee.

10. *Enforceability.* Unenforceability of any provision contained in this Declaration shall not effect or impair the validity of any other provision of this Declaration.
11. *Legal Compliance.* Grantee shall comply with all applicable federal, state, and local laws and ordinances in exercise of their rights in this Declaration.

IN WITNESS WHEREOF, the Partnership has made this Declaration as of the date and year first written above.

THE JEROME FIVE LIMITED PARTNERSHIP.

No Seal on Document

Sonja Adrian
By: Sonja Adrian
Its: General Partner

STATE OF SOUTH DAKOTA)
 : ss
COUNTY OF MINNEHAHA)

I, *Carri Bossert*, a Notary Public, hereby certify that on the 27 day of *November*, 2015, personally appeared before me Sonja Adrian and declared that she, as general partner of THE JEROME FIVE LIMITED PARTNERSHIP, and being authorized so to do, acknowledged that she executed the same for the purposes therein contained.

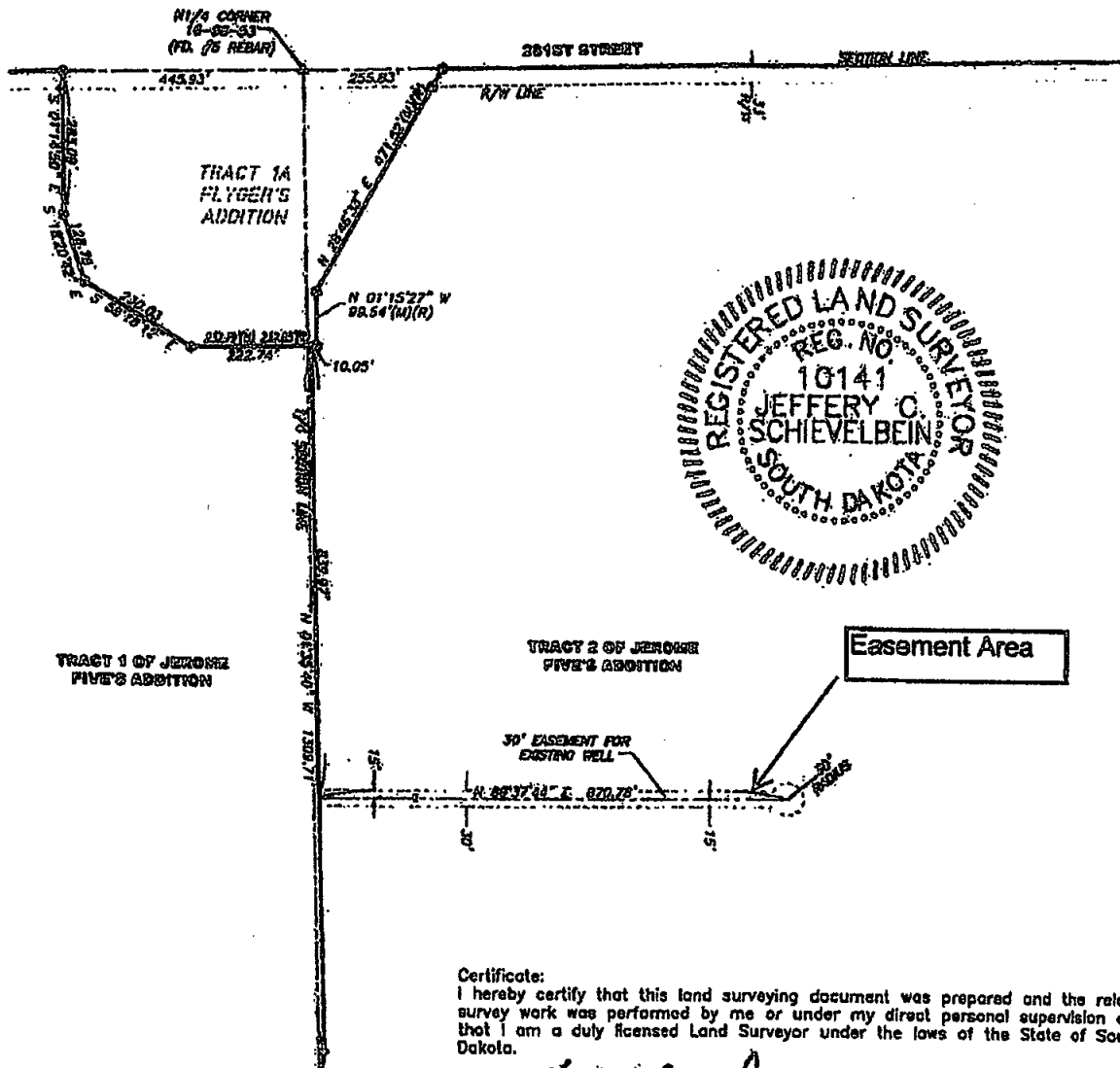
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



NOTARY PUBLIC – SOUTH DAKOTA

My Commission Expires: 5-18-2018

EASEMENT EXHIBIT A



Certificate:
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of South Dakota.

Jeffery C. Schiavelbein
Jeffery C. Schiavelbein
License number 10141
Pages or sheets covered by this seal: 1

11/24/2015
Date

LEGAL DESCRIPTION:

TRACT 2 OF JEROME FIVE'S ADDITION IN THE NORTH HALF OF SECTION 16, TOWNSHIP 98 NORTH, RANGE 53 WEST OF THE 5TH PRINCIPAL MERIDIAN, TURNER COUNTY, SOUTH DAKOTA.

NOTES:

1. BASIS OF BEARINGS IS UTM-ZONE 14

LEGEND:

- △ SECTION CORNER
- SET 3/8" REBAR W/CAP #10141
- FEA MONUMENT
- (R) RECORD DISTANCE
- (M) MEASURED DISTANCE
- AC. ACRES
- R/W RIGHT-OF-WAY
- N.T.S. NOT TO SCALE
- PREVIOUSLY PLATTED LINE
- - - EASEMENT LINE

PREPARED BY:

Midwest
Land Surveying, Inc.

Land Surveying and GPS Consulting

211 E. 14th Street Suite 100

Sioux Falls, South Dakota 57104

Phone: (605) 339-8901 FAX: (605) 274-8951

DRAWN BY:
AJR

APPROVED BY:
JCS

DATE:
11/19/15

PROJECT NO
15-680

SHEET
1 OF 1

IN THE NORTH HALF OF SECTION 16, TOWNSHIP 96 NORTH, RANGE 53 WEST
OF THE 5TH PRINCIPAL MERIDIAN, TURNER COUNTY, SOUTH DAKOTA.

COPY

TOWNSHIP ACCEPTANCE OF ROAD DEDICATION

I hereby certify that the Board of Supervisors of Township, at an official meeting conducted on the 2 day of Dec, 2015, accepted the roads indicated on the plot of TRACT 1 AND TRACT 2 OF JEROME FIVE'S ADDITION IN THE NORTH HALF OF SECTION 16, TOWNSHIP 30 NORTH, RANGE 53 WEST OF THE 5TH PRINCIPAL MERIDIAN, TURNER COUNTY, SOUTH DAKOTA.

No Seal on Document

Supervisor: Roger Turner Howland Township
Turner County, South Dakota

COUNTY PLANNING AND ZONING DIRECTOR'S CERTIFICATE

I, Planning and Zoning Director, of Turner County, do hereby certify that this plat has been reviewed by me or my authorized agent and has been approved.

Approved this 2nd day of Dec, 2015

COUNTY AUDITOR CERTIFICATE

I, County Auditor of Turner County, South Dakota do hereby certify that the above certificate of approval is true and correct including the attached Warranty.

Dated this 2nd day of Dec. 1915

Dated this 2nd day of Dec. 1918

DIRECTOR OF EQUALIZATION

I, the Director of Equalization of Turner County, South Dakota, do hereby certify that
copy of the above and foregoing described plat has been filed in my office.

Dated this 2nd Day of Dec 2015.

Dated this 2nd Day of Dec 1915
Fay Outspide
 DIRECTOR OF EQUALIZATION
 Farmer County, South Dakota

TREASURER

4. The Treasurer of Turner County, South Dakota, do hereby certify that all taxes which are due upon any land shown in the above plot, as shown by the records of any other office, have been paid in full.

Dated this 2nd Day of December

JESSI FULLER
 NOTARY
 My Commission Expires
 2-28-2020
 PUBLIC
 STATE OF SOUTH DAKOTA

77427 REGISTER OF DEEDS

Filed for record this 2nd day of December 1944

2.00 a'clock, P. m. and recorded in Book 2

Turner Ann Cramer Deputy
Recorder of Deeds
Turner County, South Dakota Filed 8/14/1913

SEAL

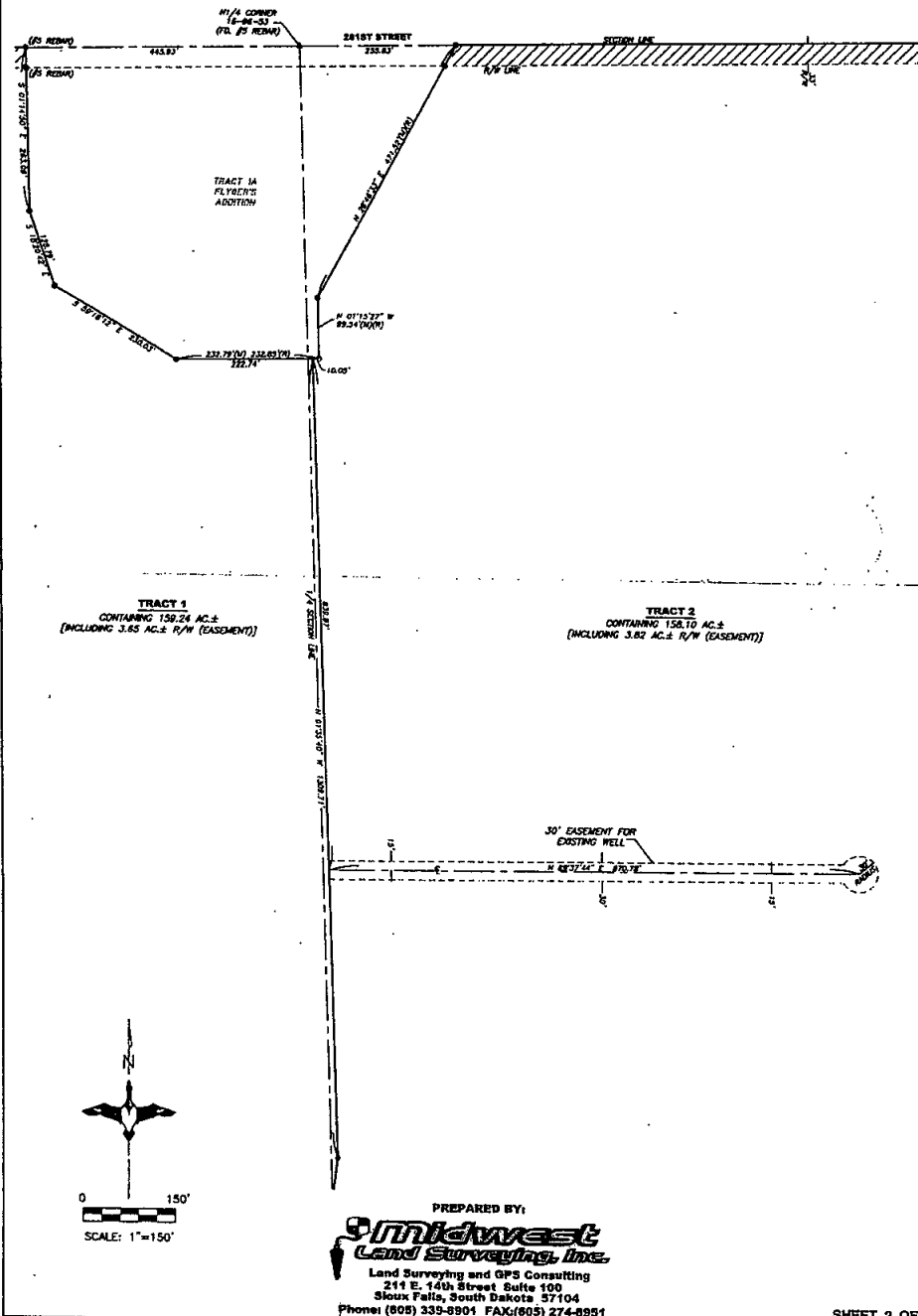
PREPARED BY:

Midwest
Land Surveying, Inc.
Land Surveying and GPS Consulting
211 E. 14th Street Suite 100
Sioux Falls, South Dakota 57104
Phone: (605) 338-8901 FAX: (605) 274-8951

PLAT OF TRACT 1 AND TRACT 2 OF JEROME FIVE'S ADDITION

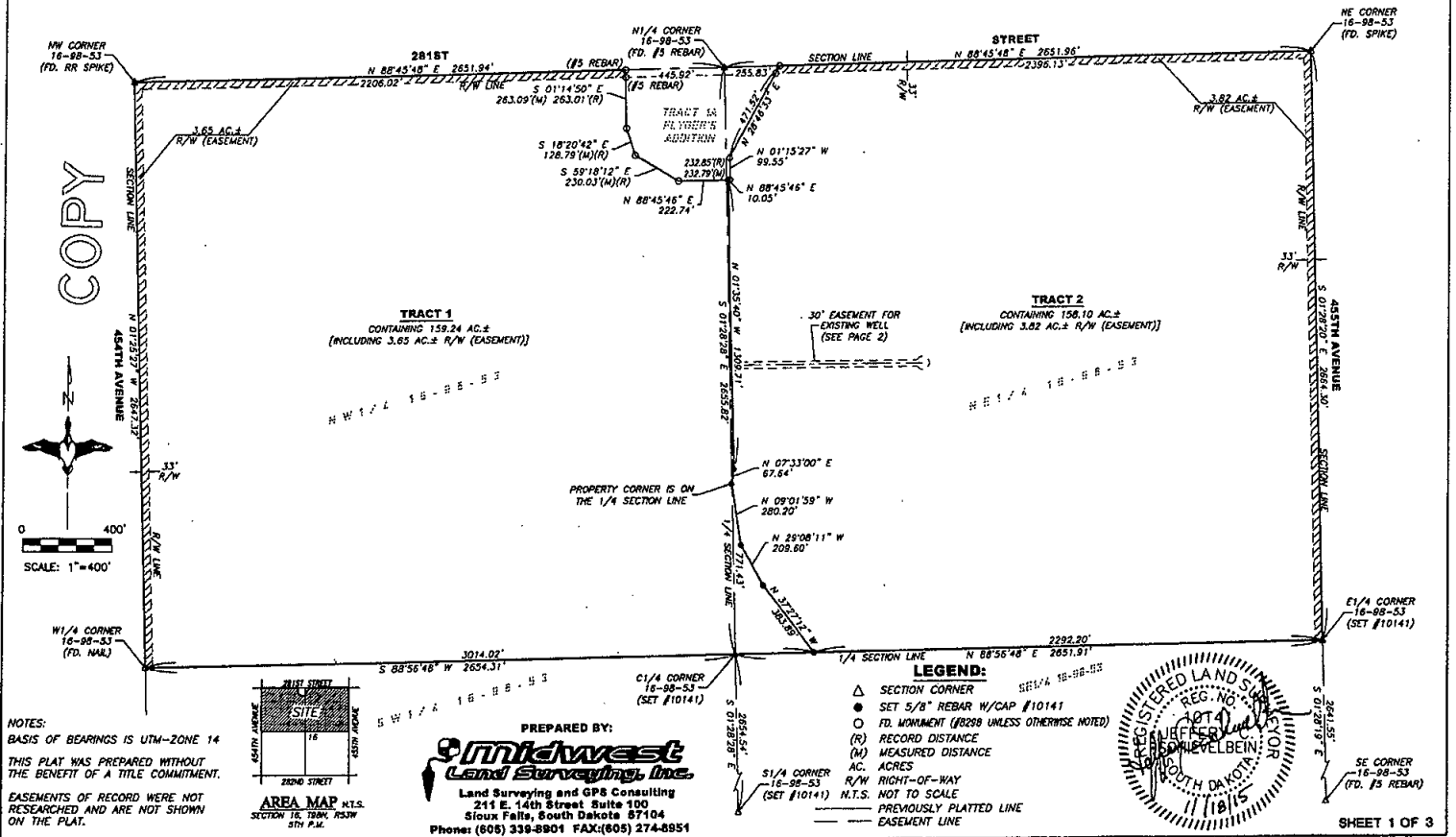
IN THE NORTH HALF OF SECTION 16, TOWNSHIP 98 NORTH, RANGE 53 WEST
OF THE 5TH PRINCIPAL MERIDIAN, TURNER COUNTY, SOUTH DAKOTA

COPY



PLAT OF TRACT 1 AND TRACT 2 OF JEROME FIVE'S ADDITION

IN THE NORTH HALF OF SECTION 16, TOWNSHIP 98 NORTH, RANGE 53 WEST OF THE 5TH PRINCIPAL MERIDIAN, TURNER COUNTY, SOUTH DAKOTA.



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

DEC 23 2015

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. _____

Date: _____

I/We request that Water Right/Permit No. 290-3 formerly owned by:Ray Flyger & Jerome Adrain be transferred to:New Owner Name: Tony Brown Brown landAddress: 26983 Sundowner AveCity, State, Zip Sioux Falls S.D. 57106 Telephone No. 605-360-5033

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

☒ I understand that the validity of Water Right/Permit No. 290-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Tony Brown, the new owner, certify that the above information is true and correct.

Ty Brown
(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.

TRACTS 6 & 7

STATE OF SOUTH DAKOTA

RECEIVED

DEC 23 2015

WATER RIGHTS
PROGRAM

WATER LICENSE NO. 290-3

(1) WHEREAS, On the 12th day of September, A. D. 19 56
Roy Flyger

made Water Right Application No. 290-3 for a permit to use 4.57 cubic feet per second of the water
 of ground water

County of R. Turner, State of South Dakota, for irrigation
 purpose and

(2) WHEREAS, On the 10th day of January, A. D. 19 58
 Permit No. 290-3, with a date of priority of September 12, 1956

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 6th day of February, A. D. 19 60 and for the
 application to beneficial use of said water on or before the 6th day of February, A. D. 19 62

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert 3.56 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.

for irrigating 320 acres in the N $\frac{1}{2}$, Section 16, T98N, R53N

(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, Roy Flyger

of Harley, S.D.
the holder and owner of said permit No. 290-3 a water right, dating from September 12, 1956
to use of 3.56 cubic feet per second of the waters
of ground water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at West 1/4-11, 1340 feet S. and 3700 Ft. East of 1/4 MI
Corner of Section 16, T98N, R53W, East well is located 500 feet east of west well.

and conduct to and upon the N1/4, Section 16, T98N, R53W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 290-3 and subject to the laws of the State of South Dakota.

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

Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J. H. GRILES

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/23, 20 15

RECEIVED OF Dakotaland Sod Farm 26983 S Sundowner Sioux Falls SD 57106

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>290-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07582

By *James Henderson*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JAN 29 2016

290A-3

Tony Brown
26983 Sundowner Ave
Sioux Falls SD 57106

Dear Mr. Brown:

Enclosed is Reissued Water License No. 290A-3.

Based on ownership changes filed in December, 2015, Water Right No. 290-3 has been divided and reissued to reflect separate ownership as follows:

- **No. 290A-3: Tony Brown, Brown Land**, authorizing diversion of 1.78 cfs from one well located in the NE $\frac{1}{4}$ Section 16 to irrigate 160 acres in the NE $\frac{1}{4}$ (Tract 2) Section 16, all in T98N, R53W;
- **No. 290B-3: Scott Vannorsdel**, authorizing diversion of 1.78 cfs from one well located in the NE $\frac{1}{4}$ Section 16 to irrigate 160 acres in the NW $\frac{1}{4}$ (Tract 1) Section 16, all in T98N, R53W.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 290A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 290A-3
(DIVISION OF WATER RIGHT NO. 290-3 INTO 290A-3 AND 290B-3)

(1) Roy Flyger, Hurley SD was issued Water License No. 290-3, November 24, 1970 for a water right to divert 3.56 cubic feet of water per second from ground water (two wells – Parker Centerville Aquifer), Turner County, South Dakota for irrigation purposes. Water License No. 290-3, with a priority date of September 12, 1956 was issued to the permit holder authorizing irrigation of 320 acres in the N ½ Section 16, T98N, R53W from two wells located in the NE ¼ Section 16, T98N, R53W.

The following ownership changes have been filed with Water Right No. 290-3:

- January 29, 1982 – transferred from Roy Flyger to Merle Flyger;
- July 18, 1989 – transferred from Merle Flyger to Jerry Adrian;
- December 23, 2015 – the NE ¼ (Tract 2) Section 16, T98N, R53W was transferred from Jerry Adrian to Tony Brown, Brown Land, 26983 Sundowner Ave., Sioux Falls SD 57106
- December 24, 2015 – the NW ¼ (Tract 1) Section 16, T98N, R53W was transferred from Jerry Adrian to Scott Vannorsdel, 28888 455th Ave, Viborg SD 57070

Based on the last two ownership changes filed, Water Right No. 290-3 is being divided and reissued to reflect separate ownership as follows:

- **No. 290A-3: Tony Brown, Brown Land**, authorizing diversion of 1.78 cfs from one well located in the NE ¼ Section 16 to irrigate 160 acres in the NE ¼ (Tract 2) Section 16, all in T98N, R53W;
- **No. 290B-3: Scott Vannorsdel**, authorizing diversion of 1.78 cfs from one well located in the NE ¼ Section 16 to irrigate 160 acres in the NW ¼ (Tract 1) Section 16, all in T98N, R53W.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law and is entitled to divert 1.78 cubic feet of water per second for beneficial use.

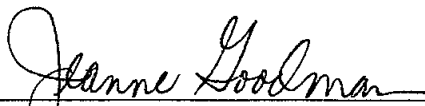
The location of the diversion point is approximately 1,340 feet south and 4,200 feet east of the NW corner of Section 16, T98N, R53W (near the center of the NE ¼ (Tract 2)).

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

- 160 acres – NE ¼ Section 16, T98N, R53W (Tract 2)

(4) Pursuant to South Dakota Water Law 46-5-30.1 Tony Brown, Brown Land, 26983 Sundowner Ave., Sioux Falls SD 57106 the holder and/or owner of Water Right No. 290A-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well – Parker Centerville Aquifer) with a priority date of September 12, 1956 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 290-3.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 29 2016

date



290A-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: TONY BROWN, 27070 DUKE AVE, TEA, SD 57064

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 290A-3 & 3966-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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 2, 2022 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) 290A-3 & 3966-3 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 2, 2022** 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: XWOXYP**

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.

290A-3



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

January 26, 2022

290A-3
3966-3

Tony Brown
27070 Duke Ave
Tea SD 57064

Dear Mr. Brown:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 290A-3 and 3966-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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