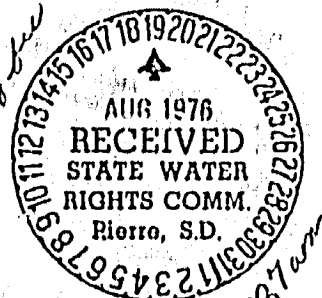


Water Right Number 2928-3

1. Considered 9-29, 19 76
2. Name of Applicant FLOYD MERTZ
3. Post Office Address HECLA
4. Amount of water claimed 2.0 (1.9 MAX ALLOWABLE)
5. Source of water supply 105' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 133
7. Water to be diverted and used in BROWN County
about 3E, 5S Miles of HECLA
8. Proof of Publication Received 9-21-76
Not received
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

Map No. 2260-3 Water Division No. 3 JAMES RIVER District 110
(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 Floyd Meritz
Postoffice address Hecle State S. Dak. 57446
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Meritz Farms Irrigation System
4. Amount of water claimed (cubic feet per second) 2
5. Source of water supply well
6. Location of point of diversion NE 1/4 NW 1/4 18 127-60
1/2 mile EAST - Roads SOUTH OF NW COR OF SECTION 18-127-60
County Brown
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 33
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 1/4 NW 1/4 18 127-60	15	NW 1/4 NE 1/4 18 127-60	12
NE 1/4 NW 1/4 18 127-60	40	SW 1/4 NE 1/4 18 127-60	11
SE 1/4 NW 1/4 18 127-60	40		
SW 1/4 NW 1/4 18 127-60	15		

Attach sheet if more space is needed.

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 0 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Aberdeen American News
12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe

C. Works proposed to apply water to beneficial use.

Center PivotEstimated Total Cost \$ 50,000Attachments: 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 BrownI, Floyd Meritz 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 Floyd Meritz
Subscribed and sworn to before me this 29 day of July 1976Notary Public (or other qualified officer)
L. M. ELSEN
Notary Public, BROWN COUNTY, S. DAK.
My Commission Expires JUNE 21, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2928-3

FLOYD MERTZ
(Applicant)

HECLA
(Post Office Address)

SOUTH DAKOTA 57446 With the following modifications:
(State)

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 AUGUST 19, 19 76

Date of return to applicant for correction, amendments or changes required —, 19 —

Date of receipt of corrected application AUGUST 25, 19 76

Approved SEPTEMBER 30, 19 76, Recorded in Book 16 Page 51

WATER RIGHT PERMIT NO. 2928-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2928-3 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 AUGUST 19, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 30, 19 77
3. The whole of said work is to be completed on or before SEPTEMBER 30, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 30, 19 77
5. The water appropriated shall be used for the purpose of IRRIGATION EXTENSION GRANTED 11-16-78
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.0 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 SEPTEMBER 30, 19 77; said water to be used during the following described annual period: APRIL THEN OCTOBER

Witness my hand this 24TH day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 1.5", Depth 105'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 12" Thickness 1/2"
- (3) Perforated Screen.
Type Galvanized steel, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

Depth to top of water bearing material 95'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 13'

Depth to water (ground surface to water level) 92'

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

On same owner's property 3/4 mile rds. On property owned by others 1/2 mile 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.

Floyd Mertz
Signature of Applicant

6-27-77

Thyrt Marty - Hecla

Ready for

Inspection

2928-3

2928-3 Thyrt Marty by H. M. M. M. M.
8910 Motor = Perkins Diesel - 6 cyl
90 H.P.

Pump Johnson Vertical

Serial DJ26293,

75 10 E S F

C.P. T & L 132 Ac.

Lot # 1821

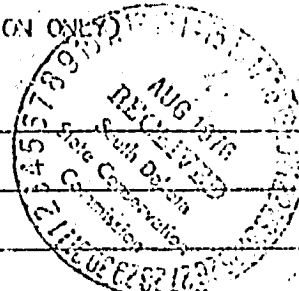
Well Depth - 107 ft - 12 ft to water

Capacity 650 - 700 gpm

Want Extension on way and to
well as also on and pump adequate

CONSERVATION
COMMISSION
FORM 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 GROUND WATER IRRIGATION ONLY)



NAME Floyd Monte

ADDRESS Hatch Creek, S.D.

COUNTY Brown

LEGAL DESCRIPTION NE 1/4

1. WELL LOCATION N 1/2, 18, 127-60
2. LOCATION OF AREA TO BE IRRIGATED Section 18, Twp 27-60, R. 127-60

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn and alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-898
6. SALINITY (EC X 10⁶) 162.5
7. SODIUM (SAR) 5.57
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and; the soils information has been acquired from Brown County Conservation District, County Extension office or Soil Conservation Service.

and:

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

Floyd Monte
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN, BEFORE ME THIS
26 DAY OF August 1966

[Signature]
(TITLE OR SEAL)

L. M. EISEN

Notary Public, BROWN COUNTY, S.D.

[Signature]
APPROVED/DENIED

(SOILS INFORMATION ON REVERSE SIDE)

A circular black ink stamp. The outer ring contains numbers 1 through 25 in a clockwise sequence starting from the top left. In the center, there is a small triangle pointing upwards. Below the triangle, the text "AUG 1978" is printed. Underneath that, the word "RECEIVED" is in large, bold, capital letters. Below "RECEIVED", the words "STATE WATER" and "RIGHTS COM.M." are printed in two lines. At the bottom of the central text area, "Pierre, S.D." is written.

AUG 1976
RECEIVED
SAC'S OFFICE
Spec. Commission

Dear Mr. McGee:

The analysis of your water sample submitted July 30 has been completed and the original copy of the report is enclosed for your keeping. I am also enclosing a copy of AHS 12 with a water quality chart on the outside back cover. The water is high in salinity and sodium, but has a further complicating factor in that it is very high in the bicarbonate ion. The bicarbonate ion can cause rapid precipitation of calcium and magnesium when the water becomes part of the soil solution and thus the water will become nearly 100% sodium. This is very serious for soil adaptation. However, inasmuch as your soils are almost all sand, there should not be a structural problem with this water, at least not as long as you keep the land in forage crops. I would certainly recommend that you do not try to grow corn with this kind of water. I would also recommend that you consider the application of gypsum as a measure you will have to use in the future - perhaps 4-6 years from now, but it will surely come about with the use of this water. This gypsum application may cost you as much as \$30 or \$40 an acre if the problem becomes severe.

Another thing that you should do with this water is to use it as infrequently as possible, but in sizable amounts so as to thoroughly recharge the water carrying capacity of the root zone of your crops each time you irrigate. Infrequent, substantial applications are the only recommendations for this water that I can make to minimize the damaging effect it will have on your soil.

A copy of this letter is accompanying the water analysis and the WL-1 form to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine
Water Quality Lab

cc: State Conservation Commission
Marvin Pollock, County Extension Agent
P. Pahl

LOF:jad
Enclosures

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

Submitted by: PL (wd) Nov 13
Address: Mod 1, Box 57445

Date Rec'd 10-30-1975
Sample No. 7-111
Identification 115
10-13-1975, 11:00

WATER ANALYSIS

Calcium (Ca)	75	ppm*	3.20	me/l**
Magnesium (Mg)	16	ppm	1.25	me/l
Sodium (Na)	315	ppm	13.20	me/l
Potassium (K)	7	ppm	0.13	me/l
Sulfate (SO ₄)	218	ppm	4.42	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	115	ppm	3.22	me/l
Bicarbonate (HCO ₃)	654	ppm	10.22	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)	536	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1625	microhmhos per cm at 25° C.		
Sodium Adsorption Ratio	8.57			
Sodium	72.14	% of cations		
Residual sodium carbonate	5.61	me/l		
pH	7.47			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon



COMMENTS: Total cations 18.99 me/l
Total anions 18.36 me/l

By: Elizabeth A. Hinton

Service Performed

Amount: \$200.00

Simulation Analysis

2.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-310

Amount Enclosed \$.....

Signed.....

No. 2928-3

Publish first publication, on or before

September 16, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 7, 1976

Notice is hereby given that Floyd Martz

whose post office address is Hecla, 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 2.0 cubic feet of water per

second of time from the ~~xx~~ ground water through the

Martz # 1, the point of diversion of which is to

be located in the center of the NW 1/4

of Section 18, Twp. 127N, Range 60W. Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4, Section 18, T127N, R50W

This application No. 2928-3 will be considered by the Water Rights

Commission at Pierre

upon the 29th day of September, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

Floyd Martz, Hecla, S. D. 57446

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

No. 2928-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Dianne Brenden hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Aberdeen American News

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 Aberdeen of Brown

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

September 13, 1976

September 20, 1976

Dianne Brenden
(Signature)

Principal Clerk
(Title)

September 20, 1976
(Date Signed)

(No. 110-Sept. 13 20 1976)
NOTICE OF INTENT TO
APPROPRIATE WATER
Notice is hereby given that Floyd
Mertz, whose post office address is
Mertz, South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate for
beneficial use 20 cubic feet of water per
second of time from ground water
through the Mertz No. 1, the point of
diversion of which is to be located in the
center of the NW 1/4 of Section 13, Twp.
127N, Range 60W. Said water to be used
for the purpose of providing irrigation on
the following described lands: NW 1/4
Section 18, T127N, R60W, S20E.
This application No. 2928-3 will be
considered by the Water Rights Com-
mission at Pierre upon the 29th day of
September, 1976 at 10:00 A.M. All in-
terested persons may appear and be
heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones, Water Rights
Specialist.



Form 18.

No. 2928-3

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date 9-9-78

Dear Sirs:

In Water Right Permit No. 2928-3 it is specified that the water diversion system is to be completed by September 30, 1977 and that the water is to be put to the limit of beneficial use by September 30, (1981) 1977.

I hereby request that the date for completing the diversion system be extended to September 30, ¹⁹⁸¹ 1977 and that the date for putting the water to the limit of beneficial use be extended to September 30, 1985.

The extension of time for the completion of these works is requested for the following reasons: Extension desired as may have to move location of well as it is not adequate.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

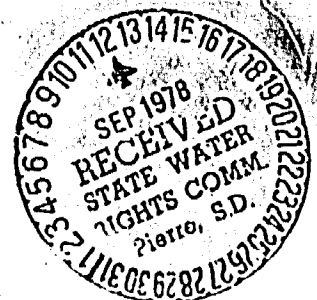
Floyd Mertz
(Signed)

2928-3
Permit Number

APPROVED:

WATER RIGHTS COMMISSION

BY:



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6525

PIERRE, September 12, 1978

RECEIVED OF Mertz Farms, Inc. Floyd Mertz, Hecla, SD 57446
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. _____		
Fee for Inspecting Beneficial Use, and Issuing Water License No. _____		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filling extension of time for W/R # 2928-3 _____		3 50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
	TOTAL	2 50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH

gy

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

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

January 29, 1988

FLOYD MERTZ
RR 1 BOX 100
HECLA, SD 57446

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

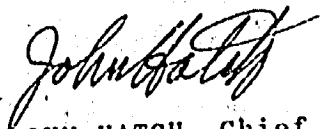
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2928-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given 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 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, 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). 2928-3 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.



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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

South Dakota
Department of
Water & Natural Resources

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

February 16, 1988

2928-3

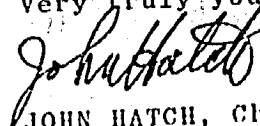
Floyd Mertz
RR 1, Box 100
Hecla SD 57446

Dear Mr. Mertz:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 2928-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

Considered: _____

WATER PERMIT NO. 2928-3

Phone: 994-2189

Name of Applicant: Floyd Mertz

Post Office Address: Rt 1, Box 100, Hecla SD 57446

Amount of Water Claimed: 2.0 1.56 Total Acres: 133

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Brown

About 3E,5S miles of Hecla

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 8-19-76 Fee: _____ Remarks Readvertise-

ment to correct acreage irrigated

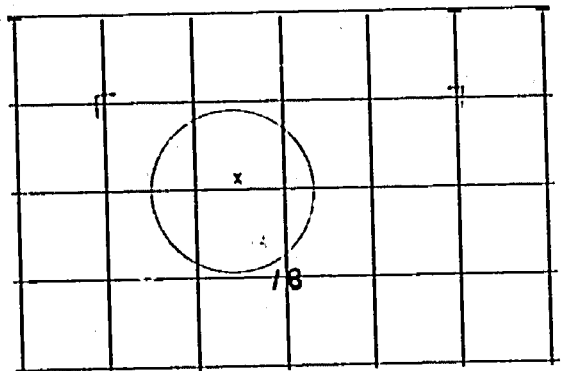
Corrected Application Received _____ Period of Annual Use April 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED 8-16-76 APPROVED/CONDITIONAL (Circle one)

W1-1 Description same as Application YES x NO _____ REMARKS _____

Diversion Point: NW 1/4 18-127-60

Land to be Irrigated: NW 1/4 NE 1/4 18-127-60



Well Log: Driller: Traut Wells Inc. Licensed YES x NO _____

Depth of Well: 105' REMARKS _____

Type of Map: aerial PREPARED BY: Tim Schaal Reviewed and title Number

Assigned on 11-6-90 By Karen Schlaak

Water Rights Division - DWNR
Conversation or File Documentation

File No. 2928-3

NAME OF PERSON OR FILE: Floyd Mertz
ADDRESS: Rt. 1 Box 100 Hecla SD 57446 COUNTY Brown
DATE: October 30, 1990 TELEPHONE Floyd 994-2189
Tim 994-2281
RE: _____
COMMENTS:

On October 2, 1990, I talked to Floyd & Tim Mertz about Water Permit No. 2928-3. The land is now in the CRP Program and they have sold their irrigation equipment. However, they would still like the permit licensed so they could irrigate after the CRP Program. The equipment information on the Report of Examination of Works was taken from an inspection made by LeRoy Mernaugh on 8/9/78.

The advertisement for Water Permit 2928-3 is not correct. The land irrigated in the NE 1/4 of Sec. 18-T127N-R60W was not included in the advertisement. Since the land in the NE 1/4 was on the application, map, and SW permit, I told Mr. Mertz that the advertisement error was our mistake and we would make the correction.

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: Tim Mertz

Report on Readvertisement
Water Permit No. 2928-3
Floyd Mertz
November 26, 1990

Water Permit No. 2928-3 held by Floyd Mertz, Rt 1, Box 100, Hecla, SD 57446 appropriated 2.0 cubic feet of water per second (cfs) from one well 105 feet deep to irrigate 133 acres. The legal location of the diversion point and the irrigated acres were advertised as being in the center of the NW1/4 and the NW1/4 Section 18, T127N, R60W, respectively. The legal location of the diversion point and the irrigated acres were in error in the NOTICE OF HEARING published on September 13 & 20, 1976 in the Aberdeen American News. Readvertisement with the correct legal descriptions of the diversion point and irrigated acreage is necessary before Water Permit No. 2928-3 is licensed. The correct legal location of diversion point is the NE1/4 NW1/4 and the irrigated acres are located in the NW1/4, W1/2 NE1/4; all in Section 18 T127N, R60W.

Currently, the permitted acreage is enrolled in the Conservation Reserve Program and all appurtenant irrigation equipment has been sold. State statute 46-5-37.2 provides an exception to forfeiture for nonuse of water for land authorized for irrigation by a permit that has been placed in an acreage reserve or production quota program if withdrawal from use does not prevent approval of new permits from the same source and if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

Conclusions

1. This is a readvertisement of NOTICE OF HEARING on Water Permit No. 2928-3.
2. This readvertisement is necessary to correct the legal description of the diversion point and irrigated acreage.
3. The correct legal description of the diversion point is the NE1/4 NW1/4 Section 18 T127N, R60W.
4. The correct legal description of the irrigated acreage is NW1/4, W1/2 NE1/4 Section 18 T127N, R60W.
5. Water Permit No. 2928-3 is not subject to cancellation for nonuse since the permitted lands are currently enrolled in an acreage reserve program.

Eric Gronlund

ERIC GRONLUND

Natural Resources Engineer III

Approved by:

Ron Duvall

RON DUVAL

Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED WATER PERMIT
APPLICATION NO. 2928-3, Floyd Mertz

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Readvertised Water Permit Application No. 2928-3, Floyd Mertz, Rte 1 Box 100, Hecla, SD.

The Chief Engineer is recommending APPROVAL of readvertised Application No. 2928-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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.

See report on application for additional information.


JOHN HATCH, Chief Engineer
December 19, 1990



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

December 28, 1990

Floyd Mertz
Rt 1 Box 100
Hecla, SD 57446

Dear Mr. Mertz:

The original notice of hearing for Water Permit No. 2928-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Aberdeen American News printed at Aberdeen, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 28, 1990

Aberdeen American News
PO Box 4430
Aberdeen, SD 57402-4430

Dear Sir:

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 2928-3 to be published twice. Please publish the first notice on January 4, 1991, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper: _____

Instruction to Newspaper - Publish first Notice on January 4, 1991, with the second publication 7 days later.

Readvertisement of NOTICE OF HEARING on Water Permit
No. 2928-3 to Appropriate Water

Notice is given that Floyd Mertz, Rt 1, Box 100, Hecla, SD 57446 filed an application for a water permit on August 19, 1976. Water Permit No. 2928-3 was developed to divert 1.56 cubic feet of water per second from one well 105 feet deep to irrigate 130 acres. Readvertisement of the notice of hearing published on September 13 and 20, 1976 in the Aberdeen American News is needed to correct the legal description of the diversion point and irrigated acreage. The correct legal description of the diversion point and irrigated acreage is the NE 1/4 NW 1/4 and the W 1/2 NE 1/4, NW 1/4 of Section 18, T127N, R60W, respectively. This readvertisement does not authorize any increase in the acreage irrigated or any increase in the water appropriation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2928-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 21, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 2928-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for February 1, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the February 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The February 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 21, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This readvertisement is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14,

46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

AFFIDAVIT OF PUB

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

ss.

Dawn Burkel BEING DULY SWORN

That the ABERDEEN AMERICAN NEWS is a general circulation, printed and published in South Dakota, by the Aberdeen News Company. It has been such a newspaper during the times he affiant is an employee and principal clerk of personal knowledge of all the facts stated advertisement headed Permit No. 2928-

legal dis

a printed copy of which is hereunto attached in the regular and entire issue of said newspaper. It is hereby certified that a copy of the same is on file in the office of the Clerk of the County of Brown, South Dakota, and is available for public inspection. The first publication being made on the week of month of year.

The second publication being made on the day of month of year.
The third publication being made on the day of month of year.
The fourth publication being made on the day of month of year.
The fifth publication being made on the day of month of year.
The sixth publication being made on the day of month of year.

The seventh publication being made on the day of month of year.
The eighth publication being made on the day of month of year.
The ninth publication being made on the day of month of year.

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 320.40, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Dawn Burkel

Subscribed and sworn to before me this 11th day of

January 1991

Ellen J. Jankowski

Notary Public, Brown County, S. D.

My commission expires 7-17-95

daily circulation 19,930

Readvertisement of NOTICE OF HEARING on Water Permit No. 2928-3 to Appropriate Water

Notice is given that Lloyd Metz, Rt. 1, Box 100, Hecla, SD 57446 filed an application for a water permit on August 19, 1976. Water Permit No. 2928-3 was developed to divert 1.56 cubic feet of water per second from one well, 105 feet deep to irrigate 130 acres. Readvertisement of the notice of hearing published on September 13 and 20, 1976 in the Aberdeen American News is needed to correct the legal description of the diversion point and irrigated acreage. The correct legal description of the diversion point and irrigated acreage is the NE 1/4 NW 1/4 and the W 1/2 NE 1/4, NW 1/4 of Section 18, T127N, R60W, respectively. This readvertisement does not authorize any increase in the acreage irrigated or any increase in the water appropriation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2928-3 because: 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The application must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is: "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605) 773-3352" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 21, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 2928-3 and 2) the Chief Engineer's recommendation, a special Board meeting is scheduled for February 1, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the February 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions.

Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The February 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 21, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant has the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

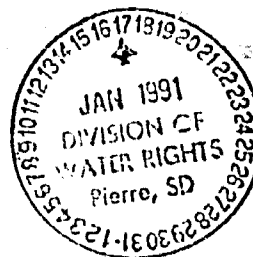
This readvertisement is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3-1, 46-2-9, 46-2-11, 46-2-13, 46-2-178; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-11, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02.01.01 thru 74:02.01.15.

Publication Fees \$

Received Payment,

Aberdeen News Co.

By



Permit No. 2928-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Floyd Mertz
 of Box 100 Huelo, SD 57446 holder of
 Permit No. 2928-3, bearing the priority of August 19 19 76 authorizing
 the diversion of 2.0 cu. ft. per second of the waters of Groundwater
 for Irrigation purposes, in Brown County.

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

A. Works used to divert the water:

Johnson Vertical Pump
Parkins 6 cyl. Diesel

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

C. Works used to apply water to beneficial use:

T:1 10 tower Center PivotThe system is in the following condition CRP Program

The point of diversion is located 1450 ft. North & 660 ft. West of the Center
of Section 18 - T127N-R 60W (NE 1/4 NW 1/4)

The works are capable of diverting and conveying to the place of use
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: Section 18 - T127N-R 60W

<u>NW 1/4 NW 1/4 - 16 Ac.</u>	<u>NW 1/4 NE 1/4 - 11 Ac.</u>
<u>NE 1/4 NW 1/4 - 38 Ac.</u>	<u>SW 1/4 NE 1/4 - 11 Ac.</u>
<u>SW 1/4 NW 1/4 - 16 Ac.</u>	
<u>SE 1/4 NW 1/4 - 38 Ac.</u>	

comprising a total of 130 acres of land and the license should be issued for 1.56 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date October 2, 1990

Timothy H. Schaal
 (signature)

LICENSE FOR PERMIT NUMBER 2928-3

1. Legal location of wells: 1350 ft. North & 660 ft. West of the center
of Section 18-T127N-R60W (NE 1/4 NW 1/4)
dams & structures: _____

2. Well Information: Well Drilling Firm Trant Wells, Inc.

Completion Report Yes ☒ No _____ No. of Wells 1 Depth 107
Casing a) diameter 12" Screen a) type 100 slot stainless steel
b) length 94 ft. b) length 13 ft.
c) type steel Static Water Level 4-16 ft.
Pump a) make Johnson Vertical Pump Motor a) make Perkins Genl. Diesel
b) model Serial # DJ26293 b) model No. _____
c) size _____ c) horsepower rating 90
d) capacity 650-700 gpm
e) turbine pump - no. of stages _____
f) operating PSI _____

3. Distribution lines or canals

a) size _____
b) type _____
c) length _____

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

b) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

c) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make T&L
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1300 ft
- 5) end gun (Y/N) Yes
- 6) high or low pressure High
- 7) make & size of nozzles _____

- 8) capacity (GPM) 650-700 gpm

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	---	2. Special qualifications to permit being abided by?
<u>X</u>	---	3. All structures, wells and lands on map?
<u>X</u>	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	<u>X</u>	5. Is chemigation used?
---	<u>X</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 1, 1991

2928-3

Floyd Mertz
RR #1 Box 100
Hecla, SD 57446

Dear Mr. Mertz:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2928-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

South Dakota

GREAT FACES. GREAT PLACES.

October 11, 1991

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

SECOND NOTICE

Permit No. 2928-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Floyd Mertz
RR 1, Box 100
Hecla SD 57446

Dear Mr. Mertz:

April 1, 1991 you were notified the final inspection fee of \$50.00 is due before Water License No. 2928-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch

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

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 box(es) for additional service(s) requested.

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

3. Article Addressed to:
 Floyd Mertz
 RRI Box 100
 Hecla SD 57446

4. Article Number
 P 694 059 402

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 *Floyd Mertz*

6. Signature - Agent
 X

7. Date of Delivery
 10-12-91 *sg*

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

PS Form 3811, Apr. 1989 * U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412887

Pierre, _____ October 25, 1991

RECEIVED OF Hertz Farm, Inc., RR 1, Box 100, Hecla, SD 57446

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. 2928-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By John Hatch (C.E.)
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2928-3

(1) Floyd Mertz of RR 1, Box 100, Hecla, SD 57446 made Application No. 2928-3, August 19, 1976 for a water permit to appropriate 2.0 cubic feet of water per second from groundwater, Brown County, South Dakota for irrigation purposes. Permit No. 2928-3 with a priority date of August 19, 1976 was approved September 30, 1976 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before September 30, 1981 and for the application to beneficial use of said water on or before September 30, 1985.

Water Permit No. 2928-3 was readvertised on January 4 and 11, 1991 to correct the legal description of the diversion point and irrigated acreage. The readvertisement, approved on February 1, 1991, did not authorize additional acreage or any increase in water appropriation.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is: 1450'N and 660'W of the center of Section 18, T127N, R60W (NE 1/4 NW 1/4).

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

T127N, R60W	Section 18	NW 1/4 NW 1/4	16 Acres
		NE 1/4 NW 1/4	38 Acres
		SW 1/4 NW 1/4	16 Acres
		SE 1/4 NW 1/4	38 Acres
		NW 1/4 NE 1/4	11 Acres
		SW 1/4 NE 1/4	11 Acres
		Total-----	130 Acres

(4) Pursuant to Section 46-5-30.1 Floyd Mertz of RR 1, Box 100, Hecla, SD 57446 the holder(s) and/or owner(s) of Water Permit No. 2928-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from groundwater (one well) with a priority date of August 19, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2928-3 and subject to South Dakota State Law.

 FEB 19 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

South Dakota

GREAT FACES. GREAT PLACES.

FEB 19 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2928-3

Floyd Mertz
RR 1, Box 100
Hecla, SD 57446

Dear Mr. Mertz:

Enclosed is Water License No. 2928-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412887 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 2928-3, 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.

Very truly yours,



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

enclosures

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

WELL CONSTRUCTION

Location of well NW 1/4 1/4 Section 18 Township 137 Range 60

Well owner Floyd Metzger (Name) (Address) Roca S.D.

Date well drilling completed 10-11-76 Purpose of well Irrigation (Domestic, irrigation, municipal, industrial, other)

WELL LOG

[illegible]

Attach sheet if more space is needed

If a flowing well, flow of completed well _____ D.P.M.

S/ Trout Wells
Name of Drilling Contractor

(2) PUMP INSTALLATION

PUMP INSTALLATION _____ HP _____

Company name and size of pump _____

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

WATER SURFACE MEASURING TUBE
On some wells an air-tight water surface measuring tube is required. See Section 48.408 of Chapter 48.4, MINNESOTA WELL CONSTRUCTION STANDARDS.

WELL CONSTRUCTION STANDARD.
Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____,
tube material _____.

~~NAME OF WORK NOTIFICATION Controller~~



2928-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: FLOYD, MERTZ
RR 1 BOX 100
HECLA SD 57446

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 2928-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2928-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

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: 2928-3 4a. Article Number: P906560036 4b. Service Type: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise 7. Date of Delivery: 9-2-93 R2	
Is your RETURN A	5. Signature (Addressee): <i>Floyd Mertz</i> 6. Signature (Agent):		8. Addressee's Address (Only if requested and fee is paid)
	PS Form 3811, December 1991 * U.S.G.P.O. : 1992-307-530 DOMESTIC RETURN RECEIPT		

Thank you for using Return Receipt Service.



2928-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1993

2928-3

Floyd Mertz
RR #1 Box 100
Hecla, SD 57446

Dear Mr. Mertz:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

2928-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Tim Mertz

ADDRESS: 10857 407th Ave, Hecla, SD 57466

COUNTY: Brown

DATE: August 12, 1998

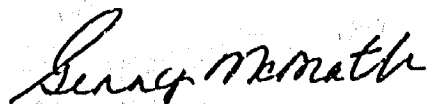
TELEPHONE: 605 994-2281

RE: status of Water Right No. 2928-3

COMMENTS:

I contacted Mr. Mertz to find out if their land was still in CRP or not. He indicated it had been re-enrolled in CRP for another 10 years. I told him I would make a notation in the file and would not mail irrigation questionnaires to them until 2008.

He indicated the water right should be transferred from Floyd Mertz to Mertz Farms Inc. They incorporated soon after they received the permit and forgot to change the permit over. He stated his father was getting up there in years and it would be best to mail correspondence to him rather than to Floyd.



Genny McMath
Environmental Scientist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 13, 1998

2928-3

Tim Mertz
Mertz Farms, Inc
10857 407th Ave
Hecla, SD 57466

Dear Mr. Mertz:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 2928-3. The water right is currently listed in the name of Floyd Mertz.

Please review the form for accuracy and make any necessary corrections. You will need to complete the portion titled "*be transferred to: (name and address)*". The form should be signed in the presence of a notary public by a representative of Mertz Farms, Inc. Upon completion, please return the form to our office with a required filing fee of \$2.50.

As a follow-up note to our conversation, I have made a notation in the water right file that the land has been re-enrolled in the CRP program through 2008. Yearly irrigation questionnaires will not be mailed to you until the land comes out of the program.

If you have any questions concerning the water right or completion of the transfer form, please get in touch with me. Upon receipt of the form and filing fee, the water right will be transferred to Mertz Farms, Inc.

Sincerely,

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

encl

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2928-3

Date: 8-23-98



I/We request that Water Right No. 2928-3

formerly owned by: Floyd Mertz

be transferred to: (name & address) Mertz Farms Inc. - 10857-407 AVE.
Hecla S.D. 57446 Telephone No. 605 994 2281

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

NW 1/4 and W 1/4 NE 1/4 Section 18, T127N, R60W

I/We understand that the validity of Water Right No. 2928-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

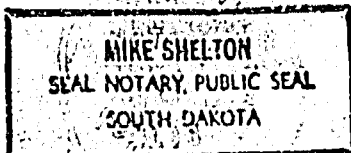
STATE OF SOUTH DAKOTA)

County of Brown)

I/We J. Mertz / Floyd Mertz 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.

Mertz Farms Inc. - Sec.
(Signed)

Subscribed and sworn to before me this 28 day of Sept 19 98.



Mike Shelton
(Notary Public)

My commission expires 5-15-2002

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 31, 1998

2928-3

Tim Mertz
Mertz Farms, Inc
10857 407th Ave
Hecla, SD 57466

Dear Mr. Mertz:

Thank you for submitting the "Notice of Transfer of Ownership" form for transferring Water Right No. 2928-3 from Floyd Mertz to Mertz Farms, Inc.

Prior to the transfer being filed, a \$2.50 filing fee is required. My first letter to you may not have been clear with respect to payment of a fee. Upon receipt of the filing fee, the water right will be transferred to Mertz Farms, Inc.

If you have any questions, please get in touch with me.

Sincerely,

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

encl

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No. 415856

Pierre

September 6, 1998

RECEIVED OF Tim or Julie Mertz, 10857 407th Ave., Hecla, SD 57446

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 _____ Water Right No. 2928-3	2	50
Fee for Filing Extension Request _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Mertz



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 9, 1998

2928-3

Tim Mertz
Mertz Farms, Inc
10857 407th Ave
Hecla, SD 57456

Dear Mr. Mertz:

Enclosed is your Receipt No. 415856 in the amount of \$2.50 which you paid for filing an ownership change with Water Right No. 2928-3. The transfer of ownership has been completed. All pertinent records are now listed under Mertz Farms, Inc., with you listed as the contact person.

Thank you and if you have any questions, please get in touch with me.

Sincerely,

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

encl

35.0

5.1

T-4684

3

NW 1/4 NW 1/4
16 Ac.

NE 1/4 NW 1/4
38 Ac.

NW 1/4 NE 1/4
11 Ac.

CRP
206.0

P-5
(87-96)

660'

1450'

HIGHLY ERODIBLE LAND

HIGHLY ERODIBLE LAND

HIGHLY ERODIBLE LAND

2

18

6

7

20.6 T-10134

CRP
86.4

88.97

86.4

127-60

5

HIGHLY ERODIBLE LAND

Timothy H. Scheal
October 29, 1990

NW

115 vds

205 B

80 vds

WELL

MAP PREPARED BY
R.E. ULRICH, DIST CONSU
SCS - BROWN CO
Rudolph K. Ulrich
W.C.

22,7

18

4.2

14.2

5

34.3

127-60

205 B

APR 11 1975
APR 11 1975
APR 11 1975

Return to
Map 101



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 18, 2009

2928-3

Tim Mertz
Mertz Farms Inc
10857 407th Ave
Hecla SD 57446

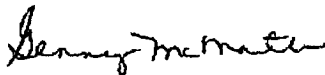
Dear Mr. Mertz:

I am contacting you in regard to your Water Right No. 2928-3. The water right authorizes diversion of ground water for irrigation of portions of the N ½ Section 18, T127N, R60W.

Each year in October we mail out annual irrigation questionnaires for water right holders to complete with information on how much water was used during that specific crop year. We have held up mailing irrigation questionnaires to you because your land was in CRP. Our records show the land came out of CRP last season and should be eligible for irrigation starting in 2009.

Prior to the fall mailing I wanted to touch base with you to see if you still own the land and if any changes need to be made to the water rights. If there are any changes to the water right or if you have re-enrolled the land in CRP, please contact me.

Sincerely,


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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 16, 2010

2928-3

Bill Mitchell
Mitchell Broadview LLP
PO Box 498
Hecla SD 57446 0498

Dear Mr. Mitchell:

I am writing in reference to the notation on the 2010 irrigation questionnaire for Water Right No. 2928-3 indicating ownership had changed. I have attached a copy of the water right for your records.

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

For informational purposes, under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 11, 2011

2928-3

Bill Mitchell
Mitchell Broadview LLP
PO Box 498
Hecla SD 57446 0498

Dear Mr. Mitchell:

I am writing in follow-up to the letter and transfer form sent to you back in November, 2010 concerning the need for an ownership change for Water Right No. 2928-3. The water right, currently listed in the name of Mertz Farms Inc. authorizes irrigation of portions of the N ½ Section 18, T127N, R60W. To date, we have not received anything back from you.

In the event you no longer have the original "Notice of Transfer of Ownership" form mailed to you, I am enclosing an additional one for your use. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

In the event you no longer own the land or do not wish to maintain the water right, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JUN 30 2011

WATER RIGHTS
PROGRAM

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

No. 2928-3

Date: 6/27/11

I/We request that Water Right No. 2928-3

formerly owned by: Mertz Farms Inc

be transferred to: (name & address) Gabrielle Meyer
15452 486 Ave Milbank SD 57252

Telephone No. 605-949-2294

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

130 acres – NW ¼ and W ½ NE ¼ Section 18, T127N, R60W

I/We understand that the validity of Water Right No. 2928-3 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 Gabrielle Meyer, the new owner, certify that the above information is true and correct.

Gabrielle Meyer
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/30, 20 11

RECEIVED OF Gabrielle Meyer 15452 486th Ave Milbank SD 57252

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 _____ 2928-3		
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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **04998**

By

Garland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

July 5, 2011

2928-3

Gabrielle Meyer
15452 486th Ave
Milbank SD 57252

Dear Ms. Meyer:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for changing ownership on Water Right No. 2928-3.

The ownership change has been completed. The water right formerly listed in the name of Mertz Farms Inc. is now listed in your name. Enclosed, for your records, is Receipt No. 04998 in the amount of \$50.00 which you paid for filing the ownership change.

Each year in October, the annual irrigation questionnaires are sent to irrigators in the state requesting information on how much water was pumped. Enclosed is a sample copy of the form to give you an idea what type of information to keep track of during the season.

Something to keep in mind is that water must be placed to beneficial use in order to maintain the water right. I have included excerpts of the water laws and Water Management Board Rules dealing with these issues.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 1, 2012

2928-3

Gabrielle Meyer
15452 486th Ave
Milbank SD 57252

Dear Ms. Meyer:

Thank you for the prompt return of your 2012 irrigation questionnaire.

I note from the form that you have re-enrolled the land in the Conservation Reserve Program through 2021. For informational purposes, under 46-5-37.2 which is the statute dealing with exceptions to forfeiture for nonuse, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

We will hold up on mailing irrigation questionnaires to you for Water Right No. 2928-3 until the land comes out of CRP. If the land is sold or your address changes between now and then, please let us know so we can update the water right.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

2928-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 31, 2022

2928-3

Gabrielle (Meyer) Pioske
712 Ash St
Hecla SD 57446

Dear Ms. Pioske:

I am contacting you regarding Water Right No. 2928-3 authorizing irrigation of 130 acres in the NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, T127N, R60W. Our records show the land was enrolled in CRP through 2021 and would be eligible for irrigation this year.

The purpose of my letter is to find out if you intend on irrigating or if the land has been re-enrolled in CRP for another term. Enclosed is a brief questionnaire concerning the water right. Please answer the questions on the form and return the form to our office. A postage paid envelope is enclosed for your convenience.

Thank you in advance for your reply. If I can answer any questions for you, please let me know.

Sincerely,

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

RECEIVED

JUL 22 2022

OFFICE OF
WATER

Water Right No. 2928-3
Gabrielle R Meyer

Water Right No. 2928-3 authorizes diversion of 1.56 cfs from ground water (well into the Middle James Columbia Aquifer) to irrigate 130 acres in the NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, T127N, R60W in Brown County.

Do you still own the land described above?

Yes ☒

No ☐ (If no, please list the name and mailing address of the new owner)

Has the land been re-enrolled in CRP:

Yes ☒ through calendar year 2032

No ☐

If the land has not been re-enrolled in CRP, we will begin mailing irrigation questionnaires to you for annual reporting. Questionnaires are mailed to irrigators in October each year and are due back in December.

For informational purposes:

46-5-37.2. Exceptions to forfeiture for nonuse. The provisions of § 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 25, 2022

2928-3

Gabrielle (Meyer) Pioske
712 Ash St
Hecla SD 57446

Dear Ms. Pioske:

Thank you for sending in the CRP questionnaire.

I will update our records indicating the land has been re-enrolled through calendar year 2032. If anything should change prior to that time, such as ownership of the land, please let us know.

Sincerely,

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