

1. Considered JULY 24 1980
2. Name of Applicant RONALD SEVERTSON
3. Post Office Address FLANDREAU, S.D.
4. Amount of Water Claimed No ADD'L (2.2 on 2955-3)
5. Source of Water Supply 55' WELL (CHG. OF DIVERSION)
6. Water to be used for IRR.
7. Acres to be irrigated No ADD'L (190 ac) ^{maximum} acre feet
8. Water to be diverted and used in MOODY County
about 1 S, 3 miles EAST of FLANDREAU
9. PROOF OF PUBLICATION Received ☒ 7-10-80
Not Received _____
- APPLICATION Approved 7-24-80
Subject to WI - I.C.
Not Approved _____
Action deferred _____

Priority

AUG. 26, 1976

Date Received MAY 9, 1980 Application Complete yes X no _____ FEE 150⁰⁰Remarks add Change diversion. over 250' from original appl. 2955-3 - will combine when Nebraska writes up w/L will cancell out 2955-3

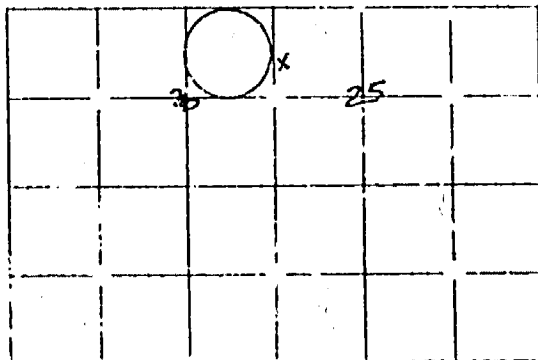
Date information and/or

fee or corrected Application received

Period of Annual use April thru OctoberWATER
QUALITYReceived ☒ yes APPROVED CONDITIONAL (Circle one)WI-1 Description same as application ☒ yes no _____ Remarks _____

Disapproved _____

Returned _____



Diversion Point _____

NW⁴ SW⁴ NW⁴, SEC. 25-
T 107N - R 48W

Lands to be irrigated _____

NE⁴, SEC. 26 - 107-48WELL
LOG

Remarks _____

Driller E'd Lacey & Sons licensed ☒ yes no _____Depth 55' well

MAP Map No. 3286-3 Map located in Water Right X Map file _____Type of Map drawn Prepared by Wicksma & Thernaugh

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on July 24, 1980B. Wicksma
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS
ETC. was adopted _____

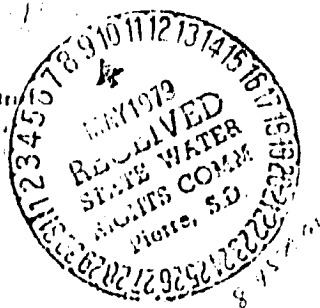
Remarks _____

No. 2955A-3AMap No. 2286-3 Water Division No. 3 BIG SIOUX District

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

10170203

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Ronald Severtson
 Postoffice address Flandreau, State SD 57028
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Ronald Severtson Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) No additional (2.2)
5. Source of water supply one well
6. Location of point of diversion 1400 feet South and 50 feet East of the NW corner of
Section 25, T107N, R48W
NW¹ SW⁴ NW⁹ - 25-107N - 48W County Moody
7. Annual period or periods during which water is to be used April thru 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 (140) no additional

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 NE ¹ 26-T107N, R48W	35		
NE ¹ NE ¹ " " "	35		
SW ¹ NE ¹ " " "	35		
SE ¹ NE ¹ " " "	35		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Moody County Enterprise
12. Principal Features of the Proposed Water Supply System.

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

pump and motor

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot

NOTE: This application is to change the location of the well from the NE¹ 26 to the NW¹-25.

Estimated Total Cost \$ 45,000

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

STATE OF SOUTH DAKOTA

County of Moody

I, Ronald Severtson, 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

Subscribed and sworn to before me this 8Signed Ronald Severtson

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2955-3A

RONALD SEVERTSON
(Applicant)

FLANDREAU
(Post Office Address)

SOUTH DAKOTA 57028 With the following modifications
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 adequate domestic wells or in irrigation wells having prior water rights.

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

Land covered under this Permit is also covered under Permit No. 2955-3. Combinations of diversion under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Priority for this Permit is established under Permit No. 2955-3.

Date of first receipt of application May 9, 19 80
Date of return to applicant for correction, amendments or changes required _____, 19 _____
Date of receipt of corrected application _____, 19 _____
Approved July 24, 19 80, Recorded in Book 16 Page 68A

WATER RIGHT PERMIT NO. 2955-3A

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2955-3A 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 26, 19 76
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ _____, 19 76
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is Completed, 19 76
5. The water appropriated shall be used for the purpose of irrigation

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

7. The amount of the appropriation herein granted shall not exceed No Additional 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 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before this date, 19 80; said water to be used during the following described annual period April through October

Witness my hand this 30th day of July, 19 80

WATER RIGHTS COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer
JOHN HATCH

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 510 1/4 330 1/4 25 Section 25 Township 20 Range 42

Well owner: Ken Seibert (Name) 11000 South Dakota (Address)

Date well drilling completed: 11-22-76 Purpose of well: Domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
1-3	Black sand
3-12	Yellow clay
12-24	clean sand
24-28	black sand
	brown gravel
28-29	fine sand
29-35.6	clean brown
	coarse gravel

Depth to top of water producing aquifer: 24' ft.
Depth to static water level: 27' ft.
Name of producing aquifer (if known): _____
Total depth of drill hole: 35.6' ft.
Depth to bottom of casing: 35' ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

Screen information: In the space below show length of screen, below bottom of casing, diameter and kind of screen or casing perforation.

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

Attach sheet if more space is needed

Name of Drilling Contractor: Edwin E. Smith

(2) PUMP INSTALLATION

Company name and size of pump: _____ HP

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

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

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed: _____ tube diameter: _____ tube material: _____

Name of Pump Installation Contractor: SE. of 34 (600) + 18 (600)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth 55' 6"
- (2) Casing, Type Steel Diameter 1 1/4" Thickness 1/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type .100 Johnson, Diameter 1 1/4", Length 10'
- (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 0-3 Black topsoil 3-12 yellow clay
12-24 clean sand 24-28' clean brown from gravel
28-29 fine sand 29-55' 6" clean brown
some gravel

Depth to top of water bearing material 24'

Depth to bottom of water bearing material 55' 6"

Thickness of water bearing material 31' 6"

Depth to water (ground surface to water level) 24'

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

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

Ronald Swenson
Signature of Applicant

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Ronald Severson

OWNER'S ADDRESS: _____

COUNTY LAND LOCATED IN: WYOMING PHONE: _____

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: N 1/2 Sec 26 T13N R48W

2. SURFACE WATER SOURCE _____

3. LOCATION OF AREA TO BE IRRIGATED: N 1/2 Sec 26 T13N R48W

4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY _____ TOWLINE _____ CENTER PIVOT 130 GUN _____ OTHER (Specify) _____

6. CROPS TO BE IRRIGATED _____

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1977

LAND: N 1/2 Sec 26 T13N R48W

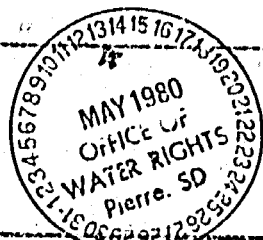
IN WHAT NAME: Ronald Severson

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: 75-747

9. SALINITY (EC x 10⁶) 9.3

10. SODIUM (SAR) 0.7 ADJUSTED (SAR) 1.0



SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Ronald Sovertson, Flandreau, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 2-3 inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on any area that tends to pond
4. ☐ Yes ☐ No Subsurface drainage suggested on water.
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils)

COMMENTS:

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application center pivot

GENERAL COMMENTS:

In years that the river has some overflows, you may need to omit the flooded portion on the north side. A high water table may give you some problems on the soils on the north side classified as Haynie.

Runoff from the steep slopes on the south can also cause problems. It may be practical to divert such runoff to your west boundary line.

Copy to applicant
Copy to Water Rights
Copy on file

No. 2955-3A

Publish first publication, on or before June 18, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 11, 1980

Notice is hereby given that Ronald Severson whose post office address is Flandreau, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from groundwater to change fl to change (One well) through the Severson Irrigation Project the point (x) of diversion/of on an existing permit which is (xxx) to be located in the NE 1/4 SW 1/4 NW 1/4

of Section 25, Twp. 107N, Range 48W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 26 - T107N - R48W

This Application No. 2955-3A will be considered by the Water Management Board at Kneip Building, Meeting Room #1, Pierre, South Dakota 57501 upon the 24th day of July 1980

at 10 AM. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD. prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Ronald Severson
Flandreau, SD 57028

BETTY WESTLUND
Water Rights Specialist

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

No. 2955-3A

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Angela Nibbelink hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Moody County Enterprise

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Flandreau

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

June 18, 1980

June 25, 1980

Angela Nibbelink
(Signature)

Boosterman
(Title)

July 9, 1980
(Date Signed)

NOTICE OF HEARING ON APPLICATION
TO APPROPRIATE WATER

Pierre, South Dakota 57501
June 11, 1980

Notice is hereby given that Ronald Severson whose post office address is Flandreau, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from groundwater (one well) through the Severson Irrigation Project, the point of diversion/of on an existing permit which is to be located in the NW1/4SW1/4NW1/4 of Section 25, Twp. 107N, Range 48W. Said water to be used for the purpose of providing irrigation of portions of the following described land: NE1/4, Section 25 - T107N - R48W.

This Application No. 2955-3A will be considered by the Water Management Board at Kriep Building, Meeting Room No. 1, Pierre, South Dakota 57501 upon the 24th day of July, 1980 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
Betty Westlund
Water Rights Specialist
(June 18 - 25)



June 22, 1979

Mr. Ronald Severtson
Flandreau, SD 57028

Dear Mr. Severtson:

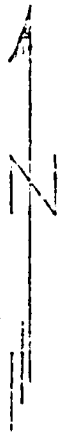
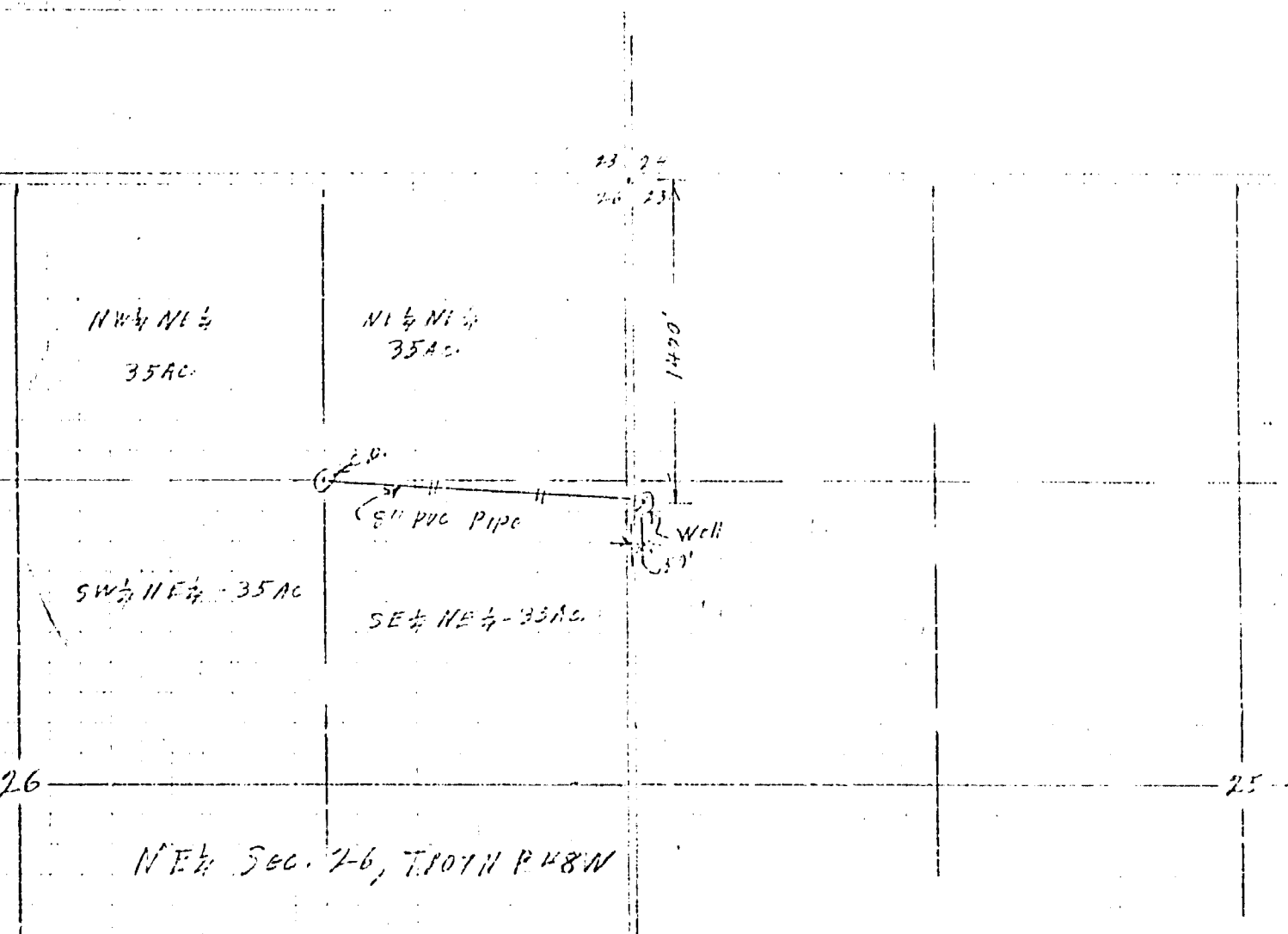
On January 23, 1979 Mr. LeRoy Mernaugh wrote you after he had inspected your Permit No. 2955-3, requesting you submit another application for the change in the location of the well under the Permit. The application for the new well was received May 9, 1979. Since the new well location is located some distance from the original advertised location of the well and the well is in a different section, another water quality approval must be obtained from the State Conservation Commission before we can further process your application.

If you have any questions concerning this matter, feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JR/bt



NE 1/4 Sec. 7-6, T107N R48W

Scale 1" = 660'
8" = 1 mile

1-12-77 by J. J. H. H. H.

Ronald Severtson
Moody County



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

January 23, 1979

Ronald Severtson
Flandreau, SD 57028

Dear Mr. Severtson:

On May 17, 1978 in the process of making the final inspection of your Water Right Permit No. 2955-3, I found that the well you dug is located in the northwest quarter of Section 25, whereas your permit calls for the well to be in the center of the northeast quarter of Section 26. I discussed this with the members of the Water Rights Staff and it will be necessary to submit a new application as the well was dug in a section of land not advertised for this permit.

Enclosed is a completed Form 2 "Application for Permit to Appropriate Water" to change the location of the well. Please check over the Form, make corrections necessary, sign the form, have it notarized and return it to this office with a check for \$150.00 to cover the cost of the filing fees.

Enclosed are Forms 2A that you need to fill out for the well. We will also need a signed drillers log of the well. Enclosed is a map of the well and area irrigated for you to check and make any necessary corrections.

Sincerely,

A handwritten signature in cursive script that reads "Leroy J. Mernaugh".

LEROY J. MERNAUGH
Water Resources Engineer

LJM/gy

enclosures

October 30, 1979

Ronald Severtson
Flandreau, SD 57028

Dear Mr. Severtson:

This is to notify you that we have not received the Water Quality approval from the State Conservation Commission on your application changing the location of your well from the NE $\frac{1}{4}$ Section 26 to the NW $\frac{1}{4}$ of Section 25, T107N, R48W, to irrigate the NE $\frac{1}{4}$ of Section 26, T107N, R48W. We can not advertise this for hearing before the Water Management Board until the Water Quality approval has been received from the Soil Conservation Commission.

If you plan to irrigate next year (1980), a permit will have to be obtained for the use of this well.

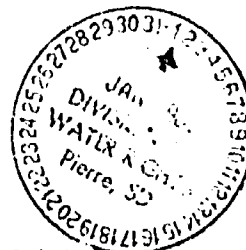
Sincerely,

BETTY WESTLUND
Water Rights Specialist I

Wn/gy

cc: Wynn Sudtelgte, Conservation Commission

*3-20-80 Encl. add.
SCC Rights have not
received yet - 1*



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office

Date _____

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

Dear Sirs:

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

2955-3A-

Water Right Permit No. 3455-371 states that the diversion system is to be constructed by 6/1/77, and that the water is put to beneficial use by 7/1/77.

The diversion system was completed on 6/1/77. Applying the water to beneficial use was completed on 7/1/77.

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

Ronald Robertson
(Signature)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

2955-3A
Ronald Severtson
Rt 2, Box 25A
Flandreau SD 57028

Dear Sir:

Water Permit No. 2955-3A was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 1, 1983

NOTICE

2955-3A

Ronald Savertson
Rt 2, Box 25A
Flandreau SD 57028

Dear Sir:

July 19, 1983, the Water Management Board passed a motion directing that those persons with water permits that have the qualification:

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

be notified of this requirement.

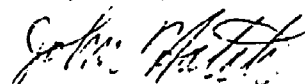
Our records do not show we have received the 1982 Irrigation Questionnaire for Permit No. 2955-3A. The questionnaire was requested on the following dates:

1. September 1982 initial request
2. December 1982 followup request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit

The Board has directed that owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire. Any person not submitting the Questionnaire is to be noticed for hearing before the Board to consider disciplinary action including suspension of the permit.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

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

April 2, 1986

Ronald Severtson
RR 2, Box 25A
Flandreau, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 2956-3, 2955-3 A, and 2955-3 and 1985 Irrigation Questionnaire Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2956-3, 2955-3 A, and 2955-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board of violation of Water Permit No(s). 2956-3, 2955-3 A, and 2955-3 qualification:

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

The hearing will also be to determine if Permit No(s). 2955-3 A should be amended with the qualification to require the Questionnaire to be submitted each year.

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

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

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

1. Suspend Permit No(s). 2956-3, 2955-3 A, and 2955-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;
2. Amend Permits No(s). 2955-3 A also held by Ronald Severtson to require the Irrigation Water Use Questionnaire to be submitted each year;

Ronald Severtson

April 2, 1986

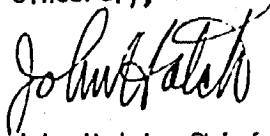
Page 2

3. Postpone any action;

4. Take no action.

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

Sincerely,



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

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

D32403KS.WR

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

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Ronald Severtson
RR 2 Box 25A
Flandreau SD 57028

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

*John Hatch
by Del Bragg*

SUBJECT: One Year Suspension of Water Permit No(s). 2955-3A
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated April 2, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 2955-3A be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

Water Rights Division - DWR
Conversation or File Documentation

File No. ^{2955-3A} 2956

2955-3

NAME OF PERSON OR FILE: Ronald Severson

ADDRESS: Flandreau COUNTY Mealy

DATE: July 2, 1986 10:40 am TELEPHONE _____

RE: Suspended irrigation water permit/rights for the 1986 irrigation season

COMMENTS:

2955-3A

Center pivot system is setup. System is not working at the present time but may have been used earlier this year because tire ruts are evident with some corn stalks bent over. Corn is approximately 3 1/2' - 4' tall, which appears to be taller than the corn in adjacent fields which don't have an apparent irrigation system.

2956

Center pivot system is set up but it doesn't appear that the system has been used this year. Beans growing in field.

* Talked with neighboring farmer and he said that Ronald Severson had lost his farm to the bank. The Bank then leased the land to Scott Ramsdell (local fertilizer dealer).

Contacted Scott Ramsdell at the following Address:

Agri-Kote Crop Monitors

Box 307

Flandreau, SD 57028

Scott Ramsdell or Kevin Branick

Mr. Ramsdell stated that he had no prior
(Cover)

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: David L. Brown

Conversation or File Documentation

NAME OF PERSON OR FILE: Ronald Severson (continued)ADDRESS: _____ COUNTY Moody

DATE: _____ TELEPHONE: _____

RE: _____

COMMENTS:

Knowledge that the 1985 Irrigation questionnaire was not completed by the previous owner (Ronald Severson). He stated that he had put 2" of water on farmland (permit #2955-3A). He had planned on irrigating during the 1986 irrigation season using permits #2955-3A & #2956.

Mr. Ramsdell then called Water Rights and wanted to talk to John Hatch concerning the suspension of the 1986 irrigation permit. John Hatch was not in the office so Jim Winterton was taking John's calls. Mr. Ramsdell explained the circumstances surrounding the ownership of the land and Winterton gave permission for Mr. Ramsdell to irrigate during the 1986 irrigation season (until further notice).

Mr. Ramsdell expressed an interest in having ~~the~~ permits #2955-3A and #2956 transferred to his name.

2955-3 & 2956-3 not amended; 2955-3A not suspended due to improper notice

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.



Department of Water & Natural Resources

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

August 7, 1986

2955-3
2955-3A
2956-3

Jeff Jones
Farmers State Bank
120 2 E
Flandreau SD 57028

Dear Mr. Jones:

I am contacting you in regard to Water Permit Nos. 2955-3, 2955-3A, and 2956-3 listed in the name of Ronald Severtson of Flandreau. It is my understanding that the lands described in the above permits are now owned by the Farmers State Bank.

Enclosed are three partially completed transfer forms for transferring Mr. Severtson's permits to the bank. Please check them over to insure accuracy, sign in the presence of a notary and return them to our office with a filing fee of \$2.50 each (total of \$7.50). Upon receipt of the completed forms and filing fees in our office, all pertinent records and water permit Nos. 2955-3, 2955-3A and 2956-3 will be transferred to the bank.

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

Please notify our office if the land is sold so new transfer forms can be completed. If I can answer any questions, please advise.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst

GM:ks

enclosure

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 8/12/ 86

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

NE 1/4 Section 26 T107N, R48W

formerly owned by Ronald Severtson

has been transferred to Farmers State Bank Box 289 Flandreau S. D. 57028
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2955-3A as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
) ss.
County of Moody)

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

D. O. Halse

(Signed)
Pres. Farmers State Bank Flandreau

Subscribed and sworn to before me this 12 Day of Aug, 19 86.

Lillian M. Jensen
(Notary Public)



RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410514

Pierre, August 12, 19 36

RECEIVED OF Farmers State Bank, Box 289, Flandreau, SD 57028

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2955-3A</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH/ms

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

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

WATER RIGHTS DIVISION
(605) 773-3352

August 14, 1986

Farmers State Bank
Box 289
Flandreau, South Dakota 57028

Dear Sir:

Enclosed are receipt Nos. 410515, 410514 and 410513 in the amount of \$2.50 each, total of \$7.50 which you paid for transfer of Water Right Nos. 2955-3, 2955-3A and 2956-3.

Our records now show Farmers State Bank as the owner of these Water Rights.

Sincerely,

Maxine Stirling

Maxine Stirling
Secretary

ms/
Enc. 3

Equal Opportunity Employer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11-27-87

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

NE 1/4 Section 26, T107N, R48W

formerly owned by Farmers State Bank, Flandreau

has been transferred to James Ramsdell, 116 E 1st Ave, Flandreau SD 57028

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

Water Right Permit No. 2955-3A as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Moody) ss.

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



James Ramsdell
(Signed)

Subscribed and sworn to before me this 27th Day of November, 1987.

James A. LaHR
(Notary Public)

JAMES A. LAHR, Notary Public
My Commission Expires 9-9-1993



Department of Water & Natural Resources

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

December 1, 1987

James Ramsdell
PO Box 208
Flandreau, South Dakota 57028

Dear Mr. Ramsdell:

This letter will acknowledge receipt of the "Notice of Transfer" forms you submitted for change in ownership of Water Permit Nos. 2956-3, 2955-3A and 2955-3. The forms were completed properly, however, they cannot be filed for record without a \$2.50 fee for each transfer.

Please remit a total of \$7.50 to cover the filing fees. Upon receipt of the fees, the above water permits will be transferred to your name.

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Natural Resources Analyst

GM:MS

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

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

WATER RIGHTS DIVISION
(605) 773-3352

December 9, 1987

James Ramsdell
PO Box 208
Flandreau, South Dakota 57028

Dear Mr. Ramsdell:

Enclosed are receipt Nos. 411087, 411088 and 410089 in the amount of \$2.50 each which you paid for transfer of Water Permit Nos. 2956-3, 2955-3A and 2955-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411088

Pierre, December 9, 1987

RECEIVED OF James Randsdall, PO Box 202, Flandreau, SD 57530

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2955-3A</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer

JOHN HATCH

CS



GREAT FACES. GREAT PLACES

March 8, 1991

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

Scott Ramsdell
411 W Park
Flandreau SD 57028

Dear Mr. Ramsdell:

This letter is in response to our phone conversation on March 6, 1991, regarding a change in ownership of irrigated property.

Permit Nos. 2955-3 and 2955-3A identify property located in the NE1/4 section 26 and the well located in the NW1/4 SW1/4 NW1/4 section 25. Permit No. 2955-3A authorized a change in the location of the well permitted under 2955-3 from the NE1/4 section 26 to the present location in section 25 to irrigate the NE1/4 section 26. The other water right (No. 2956-3) identifies property located in the NW1/4 with the well located in the center of the NW1/4; all in section 25.

You noted during our conversation that the Ramsdell's hold the property (1 acre) the well is located on in the SW1/4 NW1/4 section 25. If I understood our discussion correctly, then you should retain Permit Nos. 2955-3 and 2955-3A while Mr. Severtson receives Water Right No. 2956-3.

Please contact me if you disagree with this assessment of the situation.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352



JAMES RAMSDELL
PO BOX 307
FLANDREAU SD 57028

2000 11
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOTICE

RE: Violation of Water Permit Nos 2955-3, 2955-3A and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 2955-3, 2955-3A. The request for the Questionnaires was dated October 13, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2955-3A qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2955-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



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

JAMES RAMSDELL
PO BOX 307
FLANDREAU SD 57028

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 2955-3A; & 2955-3

The first notice to file chemigation report(s) for Permit No(s) 2955-3A; & 2955-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 2955-3A; & 2955-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2955-3A; & 2955-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

Very truly-yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.



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

February 5, 1992

2667-3
2955-3
2955-3A

Scott Ramsdell
PO Box 307
Flandreau, SD 57028

RE: 2955-3 and 2955-3A James Ramsdell; 2667-3 - INOR Inc

Dear Mr. Ramsdell:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 2955-3 and 2955-3A and Water Right No. 2667-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 1992

SCOTT RAMSDELL
PO BOX 307
FLANDREAU SD 57028

Dear Mr. RAMSDELL:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No(s). 2955-3A; & 2667-3. You may disregard the January 27, 1992 Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

A handwritten signature in cursive script that reads "Don Frye".

DON FRYE, Natural Resources Analyst
Water Rights Division

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 Fee will provide you the signature of the person delivered to and the date of delivery.

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:

JAMES RAMSDELL
PO BOX 307
FLANDREAU, SD 57028

4a. Article Number

0906557608

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

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

6. Signature (Agent)

James Ramsdell

PS Form 3811, November 1990 U.S. GPO: 1991-287-056

DOMESTIC RETURN RECEIPT



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: JAMES RAMSDELL
PO BOX 307
FLANDREAU SD 57028

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2955-3A

The first notice to file chemigation report(s) for Permit No(s) 2955-3A was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 2955-3A. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2955-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on or before March 1, 1996 your name will be deleted from the board agenda.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

JAMES RAMSDELL
PO BOX 307
FLANDREAU SD 57028

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Carol Price*

PS Form 3811, December 1994

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

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

4a. Article Number

2161 984 124

4b. Service Type

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

7. Date of Delivery

1-31-94

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: JAMES RAMSDELL, PO BOX 307, FLANDREAU, SD 57028

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

SUBJECT: Violation of Water Permit No(s) 2955A-3, 2955-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2955A-3, 2955-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2955A-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2955A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 1996

2955-3

2955A-3

James Ramsdell
PO Box 307
Flandreau, SD 57028-0307

Dear Mr. Ramsdell:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and chemical use report. You may disregard the January 30, 1996, Notices for "Violation of Water Permits and 1995 Irrigation Questionnaire Requirements" and "Failure to Report Chemical Use."

The forms were completed for you following my January 31, 1996 telephone conversation with Scott Ramsdell. Since the information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2955-3A

(1) Ronald Severtson, Flandreau SD made Application No. 2955-3A, May 9, 1979 for a water permit to divert no additional cubic feet of water per second from groundwater (one well), Moody County, South Dakota for irrigation purposes. Permit No. 2955-3A, with a priority date of August 26, 1976 was approved July 24, 1980 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Transfers filed with Water Permit Nos. 2955-3 and 2955-3A are as follows:

- August 13, 1986 - transferred from Ronald Severtson to the Farmers State Bank;
- November 30, 1987 - transferred from Farmers State Bank to James Ramsdell.

Water Permit No. 2955-3A changed the location of the diversion point authorized by Water Permit No. 2955-3. The priority date established by No. 2955-3 is retained for No. 2955-3A. The applicable portions of No. 2955-3 have been incorporated into this Water License No. 2955-3A.

(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 2.0 cubic feet of water per second for beneficial use. The location of the diversion point is 1,500 feet south and 50 feet east from the northwest corner of Section 25-T107N-R48W (SW 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:

Section 26-T107N-R48W	NE 1/4 NE 1/4	35 acres
	NW 1/4 NE 1/4	35 acres
	SW 1/4 NE 1/4	35 acres
	SE 1/4 NE 1/4	35 acres
Total		140 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 James Ramsdell, PO Box 307, Flandreau SD 57028-0307 the holder and/or owner of Incorporated Water Permit No. 2955-3A is issued a license to appropriate water, the right to use 2.0 cubic feet of water per second from groundwater (one well) with a priority date of August 26, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 2955-3A and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 17 1996
date



Permit No. 2955-3A
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, June 11, 1996, made a thorough examination of the water use system owned by James Ramsdell of PO Box 307, Elandreau SD 57028 holder of Permit No. 2955-3A and 2955-3, both bearing the priority of August 26, 1976 authorizing the diversion of 2.20 cu. ft. per second of the waters of ground water for irrigation purposes, in Moody County.

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

A. Works used to divert the water:

Motor:

- 1) Make Chevy (propane)
- 2) Size 427, V8

Pump:

- 1) Make National
- 2) Serial No. 577-884
- 3) Model No. N260-8

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,400 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Electrogator
- 2) Number of towers 8
- 3) End gun X
- 4) Low pressure 17 psi
- 5) Capacity 900 GPM

The system is in the following condition good. The point of diversion is located well: 1,500 feet S and 50 feet E from the NW corner of section 25-T107N-R48W (SW¼NW¼). The works are capable of diverting and conveying to the place of use 2.00 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 26-T107N-R48W:

Legal Description	Acres	Legal Description	Acres
NE¼NE¼	35	SW¼NE¼	35
NW¼NE¼	35	SE¼NE¼	35

comprising a total of 140 acres of land and the license should be issued for 2.00 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: August 9, 1996



 Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 2955-3A

DATE OF INVESTIGATION:	June 11, 1996
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Scott Ramsdell (son)
NAME & ADDRESS OF PERMIT HOLDER	James Ramsdell PO Box 307 Flandreau SD 57028
DIVERSION POINT LEGAL LOCATION	Well: 1,500 feet S and 50 feet E from the NW cor.ier of section 25-T107N- R48W (SW¼NW¼)

Other permit(s) associated with the project: 2955-3 (No. 2955-3A changed the location of the diversion point)

WELL INFORMATION:

- 1) Well Drilling Firm: Lacey Drilling
- 2) No. of Wells 1
- 3) Depth(s) 55.5 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 14 inches
- 2) Length 46.5 feet
- 3) Type steel

Screen:

- 1) Type Johnson
- 2) Length 10 feet
- 3) Static water level 24 feet

Pump:

- 1) Make National
- 2) Serial No. 577-884
- 3) Model No. N260-8

Motor:

- 1) Make Chevy (propane)
- 2) Size 427, V8

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,400 feet

PERMIT NO. 2955-3A

SYSTEM TYPE:

Center pivot:

- 1) Make Electrogenerator
- 2) Number of towers 8
- 3) End gun Y
- 4) Low pressure 17 psi
- 5) Capacity 200 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y
- 5) Discharge is 20' from source N (no hose on low pressure drain)
- 6) Interlock type electrical
- 7) Injection pump type piston
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y
- 11) Comments: Informed Scott Ramsdell via phone on Aug 8, 1996, that hose was needed to ensure the discharge from the low pressure drain was at least 20 feet from the well

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



August 23, 1996

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

Permit No. 2955-3A

James Ramsdell
P.O. Box 307
Flandreau, SD 57028-0307

Dear Mr. Ramsdell:

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 Nos. 2955-3 and 2955-3A, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2955-3 will be incorporated into 2955-3A.

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.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

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,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

2955-3A

James Ramsdell
P.O. Box 307
Flandreau, SD 57028-0307

Dear Mr. Ramsdell:

Enclosed is Water License No. 2955-3A. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415073 in the amount of \$50.00 which you paid for the investigation 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. 2955-3A, 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 Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of No. 2955-3 have been incorporated into this Water License No. 2955-3A.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

2955-3A
415073

Pierre, _____ September 3, 19 96

RECEIVED OF Inor, Inc., P.O. Box 307, Flandreau, SD 57028

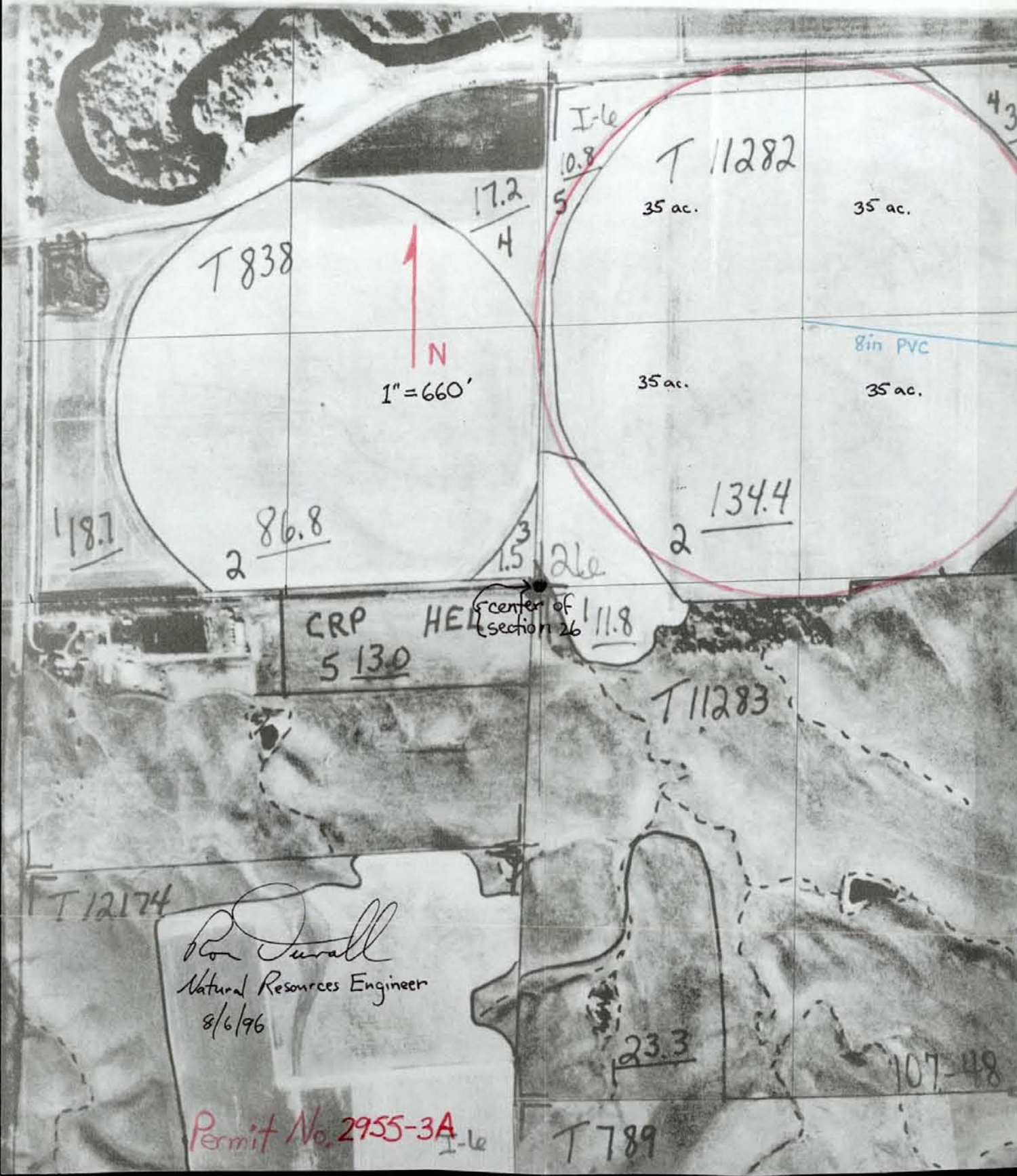
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ and to put water to beneficial use _____	to Appropriate Water, to construct	
Fee for Application for Permit No. _____ Use _____	to Appropriate Water, for Future	
Fee to retain Future Use Permit No. _____	after period of seven years.	
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2955-3A</u>		
Fee for Filing Transfer Form _____		50 00
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total		50 00

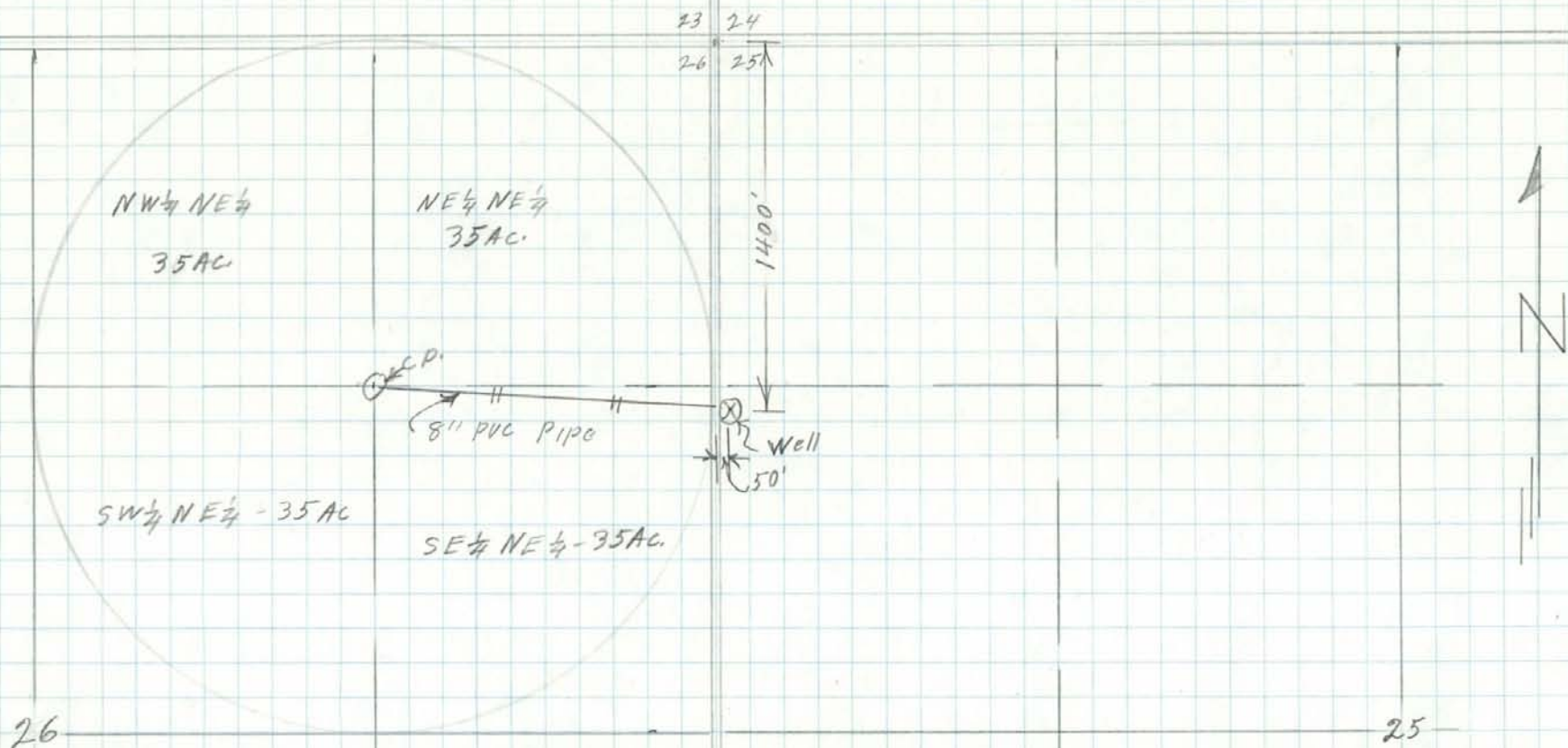
By John Hatch
Chief Engineer

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP.



NOT TO SCALE





NE 1/4 SEC. 26, T107N R48W

Scale 1" = 660'
8" = 1 mile

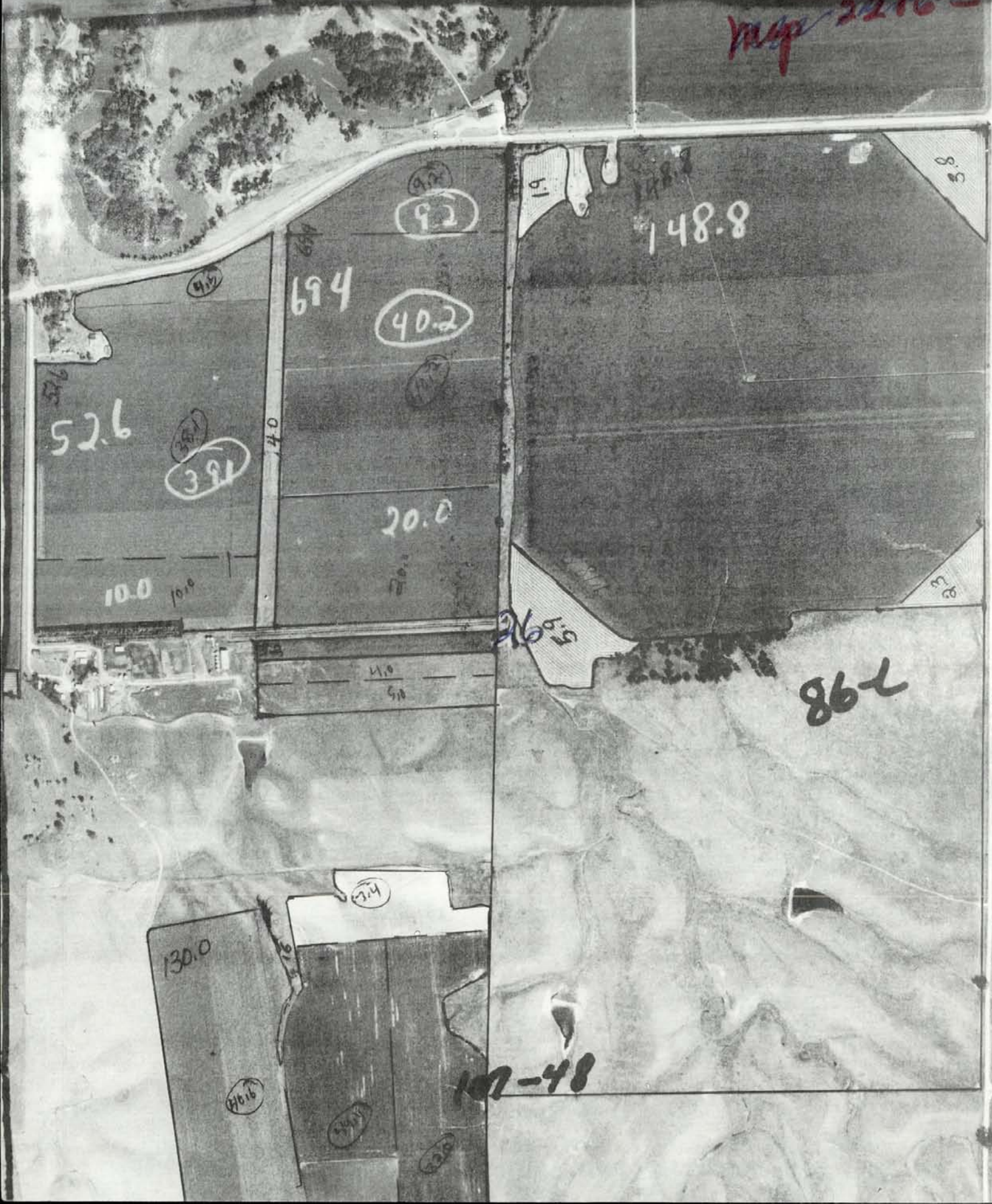
1-12-77 by J. D. McNamee

Ronald Severtson
Moody County

NW 1/4

NOT TO SCALE

2955-3A
2955-3
map 2276-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 2012

2955-3A

James Ramsdell
308 S Veterans St
Flandreau SD 57028 1437

Dear Mr. Ramsdell:

Enclosed is a "Notice" dated October 12, 2012 concerning the 2012 irrigation questionnaire.

The notice was originally mailed to PO Box 307, Flandreau SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



No. 2955-3A

August 22 2014

James Ramsdell
308 S Veterans Street
Flandreau SD 57028

Dear Mr. Ramsdell:

The irrigation season is in full swing. This has led to the Department of Environment and Natural Resources (DENR) fielding inquiries regarding end gun overspray on to roads. DENR recently distributed the attached press release to the media.

DENR received an inquiry alleging the irrigation system located primarily in the NE ¼ Section 26, T107N, R48W east of Flandreau having irrigation water from the end gun hitting the roadway. The water permit for this system is held in your name under Water Right No. 2955-3A.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

PIERRE, S.D. – The Department of Environment and Natural Resources (DENR) reminds irrigators to check their center pivots to ensure they are operating properly and are adjusted to spray only upon land authorized for irrigation by their water permit.

“It is important that irrigators do everything they can to avoid overspraying onto nearby roads or neighboring properties,” said DENR Secretary Steve Pirner. “Irrigation overspray can damage roadways, lead to unsafe driving conditions and impact neighbors.”

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes spraying water on land not covered by the water permit. Irrigation systems and especially end guns must be constantly monitored to make sure they are not applying water where it is not allowed. Irrigators who fail to prevent overspray can be subject to fines or required to appear before the Water Management Board for possible suspension of their right to irrigate.

South Dakota has nearly 5,300 active irrigation permits authorizing irrigation of up to 879,000 acres.

2955-3A

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 2955-3A

ADDRESS: COUNTY: Moody County

DATE: August 25, 2014 TELEPHONE:

RE: call in response to letter on end gun overspray on to road.

Kari Ramsdell called in response to the August 22, 2014, letter sent to James Ramsdell regarding potential end gun overspray from the pivot that irrigates the acres authorized by Water Right No. 2955-3A. She indicated the end gun stops are fully operational and shut off when the pivot approaches the road. She indicated that the pivot to the west (Ullom) does not have operational end gun stops but that their pivot does and they watch it closely.

She also indicated that the land under this water right is no longer owned by James Ramsdell. My understanding from Genny McMath in the office is that Mr. Ramsdell passed away. I told Ms. Ramsdell we'd send her a notice of transfer of ownership.

NAME: Eric Thompson



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



August 26, 2014

2955-3A

Kari Ramsdell
308 Veterans St
Flandreau SD 57028-1437

Dear Ms. Ramsdell:

I am writing in follow-up to your phone conversation of August 25th with Eric Gronlund in our program. It is my understanding an ownership change is needed for Water Right No. 2955-3A. The water right is currently listed in the name of James Ramsdell.

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

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIVED

SEP 30 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2955-3A

Date: Sept 26-2014

I/We request that Water Right No. 2955-3A

formerly owned by: James Ramsdell

be transferred to: (name & address)

Nancy Ramsdell Cutshall
1309 W. Wicklow Ct
Sioux Falls, SD 57108

Telephone No. 605-496-4338

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

140 acres - NE 1/4 Section 26, T107N, R48W

I/We understand that the validity of Water Right No. 2955-3A 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 Nancy Cutshall, the new owner, certify that the above information is true and correct.

Nancy Cutshall
(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 9/30, 20 14

RECEIVED OF Nancy Cutshall 1309 W Wicklaw Ct Sioux Falls SD 57108

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>2955-3A</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. **06959**

By Jane Hodman
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



September 30, 2014

2955-3A

Nancy Ramsdell Cutshall
1309 W Wicklaw Ct
Sioux Falls SD 57108

Dear Ms. Cutshall:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2955-3A.

The ownership change has been completed. Water Right No. 2955-3A formerly held by James Ramsdell is now listed in your name.

Enclosed for your records is Receipt No. 06959 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure