

Water Right Number 3191-3

1. Considered 11-17, 19 70
2. Name of Applicant HAROLD MUELLER
3. Post Office Address HITCHCOCK
4. Amount of water claimed 2.00
5. Source of water supply 77' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 1.00
7. Water to be diverted and used in BEADLE County
about 7E, 2.5 Miles 1ST of HITCHCOCK
8. Proof of Publication
Received 1ST
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Map No. 2454-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Harold Mueller
 Postoffice address Hitchcock, State South Dakota 57348
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and
 3. Name of diversion work MUELLER #1
 4. Amount of water claimed (cubic feet per second) 2.0
 5. Source of water supply Ground water
 6. Location of point of diversion Water NW 1/4 Sec 15, 113-62

- County Beadle
 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 160

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 of NW 1/4 Sec 15, 113-62	40		
SW 1/4 of NW 1/4 Sec 15, 113-62	40		
SE 1/4 of NW 1/4 Sec 15, 113-62	40		
NE 1/4 of NW 1/4 Sec 15, 113-62	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman

12. Principal Features of the Proposed Water Supply System.

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

Bowl pump

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

Main line

C. Works proposed to apply water to beneficial use.

Sprinkler (pivot)

Estimated Total Cost \$ _____

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

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

Harold Mueller 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 Harold F. MuellerSubscribed and sworn to before me this 12 day of Oct 1928

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3191-3

HAROLD MUELLER
(Applicant)

HITCHCOCK
(Post Office Address)

SOUTH DAKOTA 57348 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 existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 15, 19 76

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

Date of receipt of corrected application OCTOBER 29, 19 76

Approved NOVEMBER 18, 19 76, Recorded in Book 16 Page 259

WATER RIGHT PERMIT NO. 3191-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3191-3 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 OCTOBER 15, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 18, 19 79
3. The whole of said work is to be completed on or before NOVEMBER 18, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 19 83
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 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 in _____ 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 NOVEMBER 18, 19 83; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 23RD day of DECEMBER, 19 76

WATER RIGHTS COMMISSION

By: John Halish
Chief Engineer, Executive Officer

Certificate of Construction Issued May 13, 19 80

Water License Issued May 12, 19 80

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 32", Depth 79'
- (2) Casing, Type fiberglass Diameter 16" Thickness 22'
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Stainless Johnson, Diameter 16", Length 22'
- (4) Gravel Pack, Thickness 8, Length of gravel pack 79'

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 70-77 coarse sand

0-1 top soil 77-79 Blue clay

1-37 clay

37-70 Sand

Depth to top of water bearing material 37'

Depth to bottom of water bearing material 77'

Thickness of water bearing material 40'

Depth to water (ground surface to water level) 40'

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

On same owner's property 80 rds. On property owned by others 600 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.

Harold F. Mueller
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #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)

NAME Harold Mueller
ADDRESS Hitchcock, South Dakota 57348
COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 Sec 15, 113-62
2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 Sec 15, 113-62W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT x GUN _____
4. CROPS TO BE IRRIGATED Alfalfa and corn

WATER QUALITY

5. SAMPLE NUMBER 76-1486
6. SALINITY (EC x 10⁶) 2383 (high)
7. SODIUM (SAR) 533 (medium)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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 Beadle 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.

SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF 19

(TITLE OR SEAL)

Harold F. Mueller
APPLICANT'S SIGNATURE
Approval does not imply that this project can be carried out successfully in all circumstances. Individual management will, to a large degree, determine the relative success of the venture.
Albert J. Dittus
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

CONSERVATION
COMMISSION
FORM W1-#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 Harold Mueller

ADDRESS Hitchcock, South Dakota 57348

COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 Sec 15, 113-62

2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 Sec 15, 113-62

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____

4. CROPS TO BE IRRIGATED Alfalfa and corn

WATER QUALITY

5. SAMPLE NUMBER 76-11/86

6. SALINITY (EC X 10⁶) 2.353 (very low)

7. SODIUM (SAR) 5.33 (mod)

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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 Beadle 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.

SUBSCRIBED AND SWORN BEFORE ME THIS
12 DAY OF October 19 86.

Thomas J. Beaman
(TITLE OR SEAL)

Harold F. Mueller
APPLICANT'S SIGNATURE
out successfully in all circumstances. Individual manage-
ment will, to a large degree, determine the relative
success of this venture.

Albert L. J. Smith
APPROVED/ DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Harold F. Mueller
 Address: Hitchcock, SD 57348

Date Rec'd: September 29, 1976
 Sample No. 76-1486
 Identification 1. Well
N^o. 1, Sec. 15, T 113N, R 62E

WATER ANALYSIS

Calcium (Ca)	180	ppm*	9.00	me/l**
Magnesium (Mg)	48	ppm	3.94	me/l
Sodium (Na)	312	ppm	13.57	me/l
Potassium (K)	13	ppm	0.34	me/l
Sulfate (SO ₄)	800	ppm	16.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	110	ppm	3.08	me/l
Bicarbonate (HCO ₃)	551	ppm	9.04	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	452	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2383	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	5.33			
Sodium	50.54	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.54			

*ppm=parts per million
 **me/l=millequivalents per liter

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



COMMENTS: Total cations 26.85 me/l
 Total anions 28.76 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1486

Amount Enclosed \$

Signed



October 26, 1976

Mr. Harold Mueller
Hitchcock, SD 57346

Dear Mr. Mueller:

Your water sample (Lab. No. 76-1436) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures

cc: State Conservation Commission

P.S. You earlier were sent copies of the analyses, none are not included herewith.

You will have traffic and poor drainage problems on all soil areas
18. Avoid irrigating, or drain, or fill them.

This water contains about 211 tons of salt per acre-ft. Any soil that does not drain (internally and externally) will decline in productivity in 4-6 years.

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

_____ of Hitchcock, SD
the holder _____ and owner _____ of said permit No. 3191-3 a water right, dating from October 15, 1976
_____ to use of _____ cubic feet per second of the waters
of groundwater (one well)

in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1305 ft. south & 1410 ft. east of the NW
corner of Section 15-T113N-R62W

_____ /ed _____ portions of land all in Section 15-T113N-R62W, more fully described
and conduct to and upon _____
on the face of this license.

_____ for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3191-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 12th day of May _____ A. D.
Nineteen Hundred and eighty

Board of Water Management

By:

John Hatch
Chief Engineer

JOHN HATCH

Permit No. 3191-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

It is to Certify That Harold Mueller

_____ the holder _____ of
Permit No. 3191-3, issued upon Application No. 3191-3, bearing date of priority of October 15,
1976 authorizing the diversion of 2.0 cu. ft. per second of the waters of
groundwater (one well), County of Beadle, State of South Dakota at a
point 1305 ft. south & 4.20 ft. east of the NW corner of Section 15-T113N-
R62W
_____, for irrigation

_____, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.12 cu. ft. per second of water

Date May 12, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WID

Form 6. - Notice Intent to Appropriate Water

No. 3191-3

Publish first publication, on or before

November 9, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 3, 1976

Notice is hereby given that Harold Mueller

whose post office address is Hitchcock, 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 ~~XXX~~ ground water through the

Mueller #1, the point of diversion of which is to be located in the center of the NW 1/4

of Section 15, Twp. 113N, Range R62W. Said water to be used for the purpose of providing irrigation on the following described land:

/portions of

NW 1/4, Section 15, T113N, R62W

This application No. 3191-3 will be considered by the Water Rights

Commission at the Marvin Hughitt Hotel in Huron, South Dakota

upon the 17th day of November, 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: Harold Mueller, Hitchcock, SD 57348

No. 3191-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Beadle) ss.

I, Dorothy Murphy hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plaineman

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 Huron

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

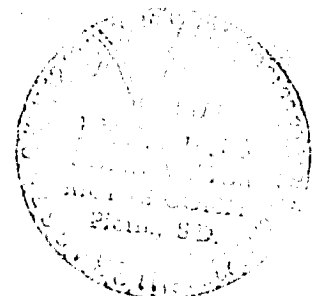
November 8, 1976

November 15, 1976

Dorothy Murphy
(Signature)
Bookkeeper
(Title)

November 15, 1976
(Date Signed)

F.P. 11-876 (P. 11) 1576
NOTICE OF INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
November 3, 1976
Notice is hereby given that Harold
Mueller whose post office address is
Hitchcock, South Dakota 57331, has
made an application in accordance with
the provisions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 2.0 cubic
feet of water per second of time from
ground water through the Mueller
Co. 1, the point of diversion of which
is to be located in the center of the
NW 1/4 of Section 15, Twp. 113N,
Range 62W, said water to be used for
the purpose of providing irrigation
on portions of the following
described land: NW 1/4, Section 15,
T113N, R62W, S. 33191-3
This application (S. 33191-3) will be
considered by the Water Rights
Commission at the Marvin Hughitt
Hotel in Huron, South Dakota upon
the 17th day of November, 1976 at
10:00 A.M. All interested persons
may appear and be heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
No. 674 (adv.)



Form 10.

No.

3891-3

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

Post Office

Hitchcock S.D.

Date

2-16-78

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 the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3891-3

Water Right Permit No. 3891-3 states that the diversion system is to be constructed by Nov. 18, 1981 and that the water is to be put to beneficial use by Nov. 18, 1983.

The diversion system was completed on June 10, 1977. Applying the water to beneficial use was completed on June 10, 1977.

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



Harold L. Mueller
(Signature)

3191-3 Harold Mueller.

10-31-78 Well depth 78 ft, 32 ft to water.

Pumping 750 gpm capacity ^{750 gpm} 1350 gpm
flow down 1250 gpm

C.P. Lockwood, No tag.

132 ft. Sec. F.S. 100 ft. to bottom.

Water 4 ft 75 ft. 17 ft. 3 ft.

Model 5 K 625 x M 502 A.

Sur # C 345 T P 16 B.

Pump Western Land Reclamation

No tag. pump 15' N 9 40' E of C.P.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7335

February 25

50

PIERRE,

10

RECEIVED OF Harold F. Mueller, Hitchcock SD 57348
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. 3191-3
3191-3

Fee for Inspecting Beneficial Use, and Issuing Water License No. _____

Fee for Issuing Location Certificate-Dry Draw, No. _____

Fee for filing _____

Fee for certified copy of _____

Fee for Print copy of map _____

Fee for Certifying _____

Fee for _____

(any other work as provided by law)

TOTAL

50 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH KW

Permit No. 3191-3Water Division 3 James River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Harold Mueller of Hitchcock, South Dakota 57348 holder of Permit No. 3191, bearing date of priority of October 15, 1976 authorizing the diversion of 2.0 cu. ft. per second of the waters of one Well for Irrigation purposes, in Beadle County.

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

The Water Use System consists of,

A. Works used to divert the water:

Motor, GE Model 5K625X M502A, Ser# C365TP16 B
75HP, 1765 RPM
Pump - Western Land Roller
Pumping 950 gpm

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

50 ft. 3" dia. Aluminum Pipe

C. Works used to apply water to beneficial use.

Lockwood Center Pivot,

The system is in the following condition: GoodThe point of diversion is located 1305ft South and 1410ft East of the NW Corner of Section 15, T113N R62WThe works are capable of diverting and conveying to the place of use 2.12cu. 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 15, T113N R62W, NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 18 Ac.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 Ac, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 32 Ac, SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 Ac.

comprising a total of 118 acres of land.

Well depth - 78 ft
Static - 32 ft
Pumping 950 gpm
Capacity 1350 gpm by
SDSU Test

License for 2.0 cfs. 7
Amount paid for this use

1.69

Date January 23, 1979
Leroy J. Menough
(Signature)



Department of Water & Natural Resources

Joe Foss Building, Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

May 13, 1980

Harold P. Mueller
Hitchcock,
SD 57348

Dear Mr. Mueller:

Enclosed herewith are, Water License No. 3191-3 and Certificate of Construction.

Water License No. 3191-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:plh

enclosures

NOTE: Your pump capacity is 2.12 c.f.s. (952 gpm) and based upon the acreage actually irrigated, you are entitled to divert 1.69 c.f.s. (759 gpm). Any diversion in excess of 1.69 c.f.s. would be a violation of your Water Right.

Equal Opportunity Employer



2141-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO: HAROLD MUELLER
RF #1 BOX 87
HITCHCOCK SD 57348

FROM: RON DUVALL, Natural Resources
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) 3191-3 & 3192-3. 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 1, 1993, in the Floyd Mattheus 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 cases hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 & 3192-3 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 1st hearing date, your name will be deleted from the Board agenda.



3191-3

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

February 12, 1993

3191-3
3192-3

Harold Mueller
RR #1 Box 87
Hitchcock, SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires for Water Right Nos. 3191-3 and 3192-3. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire. The questionnaires were 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 McHath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 1997

3191-3

Scott A Mueller
HC 75 Box 87A
Hitchcock, SD 57348

Dear Mr. Mueller:

Thank you for the prompt return of the 1996 irrigation questionnaire for Water Right No. 3191-3. It is my understanding that you now own the land described in the water right.

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change. Please review the form for accuracy and complete the portion titled "to be transferred to....". Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Once the completed form and filing fee are received in our office, Water Right No. 3191-3 will be transferred to your name. If you have any questions, please contact me.

Sincerely,

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

enclosure

3191-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 8, 1997

SECOND NOTICE
Permit No. 3191-3

Scott A. Mueller
HIC 75, Box 87A
Hitchcock, SD 57348

Dear Mr. Mueller:

On January 16, 1997, notice was sent to you concerning the transfer of Water Right No. 3191-3 in the name of Harold Mueller. To date, we have not heard from you on this matter.

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

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

Very truly yours,

RON DUVAL
Natural Resources Engineer
For John Hatch, Chief Engineer
Water Rights Program

enclosure

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

Scott A. Mueller
HC 75, Box 87A
Hitchcock, SD 57348

3191-3

4a. Article Number

P 422 707 461

4b. Service Type

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

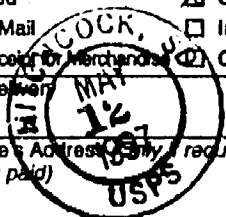
7. Date of Delivery

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

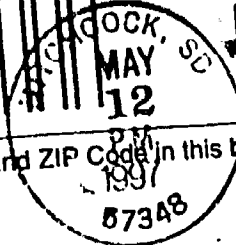
5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Brenda Mueller



UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
WATER RIGHTS PROGRAM
523 E. CAPITOL JOE FOSS BLDG.
PIERRE, SOUTH DAKOTA 57501



NOTICE OF TRANSFER OF OWNERSHIP

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



No. 3191-3

Date: _____

I/We request that Water Right No. 3191-3

formerly owned by: Harold Mueller, RR 1 Box 87, Hitchcock, SD 57348

be transferred to: (name & address) Scott A. Mueller HC 75 Box 87A
Hitchcock SD 57348 Telephone No. 605-366-2869

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

NW¼ Section 15, T113N, R62W

I/We understand that the validity of Water Right No. 3191-3 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Beadle)

I/We Scott A. Mueller 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.

Scott A. Mueller
(Signed)

Subscribed and sworn to before me this 14th day of May, 19 97.

Dan Larson
(Notary Public)

my Commission Expires 11-2-97

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

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

RECEIPT

415359

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 19, 19 97

RECEIVED OF Scott A. Mueller, HC 75, Box 87A, Hitchcock, SD 57346

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 3191-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John H. Hatcher (Signature)
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 21, 1997

No. 3191-3

Scott A. Mueller
HC 75, Box 87A
Hitchcock, SD 57348

Dear Mr. Mueller:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3191-3

Our records now show you as the owner of Water Right No. 3191-3.

Sincerely,

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

enclosure



3191-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE**TO:** SCOTT A MUELLER, HC 75 BOX 87A, HITCHCOCK, SD 57348**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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.

3191-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: SCOTT A MUELLER HC 75 BOX 87A HITCHCOCK SD 57348		4a. Article Number P378 080 681	
		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery	
5. Received By: (Print Name)		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) x Brenda Mueller			

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1999

3191-3

Scott A Mueller
19216 397th Ave
Hitchcock, SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 3191-3.

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

If you have any questions, please contact me.

Sincerely,

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location NW ¼ NW ¼ Sec 15 Twp 113 Rg 62

County

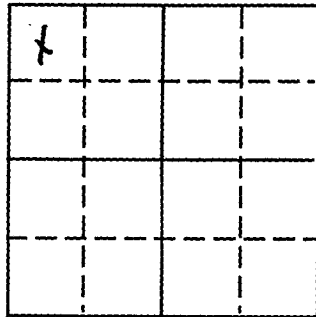
~~Spink~~ BEADLE

North

Please mark well location with an "X"

W

E



1 Mile

Well Completion Date

4/16/2004

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from In Pasture (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	16.00	0.0	58.0	24.00
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0.0 Ft	20.0 Ft
Cement	80			
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial PVCSlot Size .057 Set From 58.0 Feet to 78.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? Gravel

Describe packer(s) and location

Gravel Packed

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets
☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Scott Mueller

Business Name:

Address: 19216 397th AveCity, State, Zip: Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay w/ Rock	0	10
Yellow Clay	10	20
Yellow Clay w/ Small Sand Streaks	20	30
Yellow Clay	30	35
Fine to Med Sand	35	40
Yellow Sand	40	45
Med Gray Sand	45	50
Fine to Med Sand	50	77
Blue Clay	77	78

STATIC WATER LEVEL

20' FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve

☐ Reducers

☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:
☐ Bailed
☐ Other

Pumping Level Below Land Surface

Ft. After

Hrs. pumped

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

9-7-04

RECEIVED

SEP - 9 2004

WATER RIGHTS PROGRAM

13-04



3191-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 13, 2004

Scott Mueller
19216 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing in regard to a well driller's report filed by Pullman Well Drilling. The report shows a new well was completed for irrigation on April 16, 2004. A review of our files indicates that you hold Water Right No. 3191-3 for 760 gallons per minute (gpm) from one well, 78 feet deep located in the NW ¼ Section 15-T113N-R62W to irrigate 118 acres.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Mr. Mueller, is this a replacement well or an additional well for the existing irrigation? If this is a replacement well or additional well, we will need to know if the well exceeds the peak diversion rate authorized by the permit.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

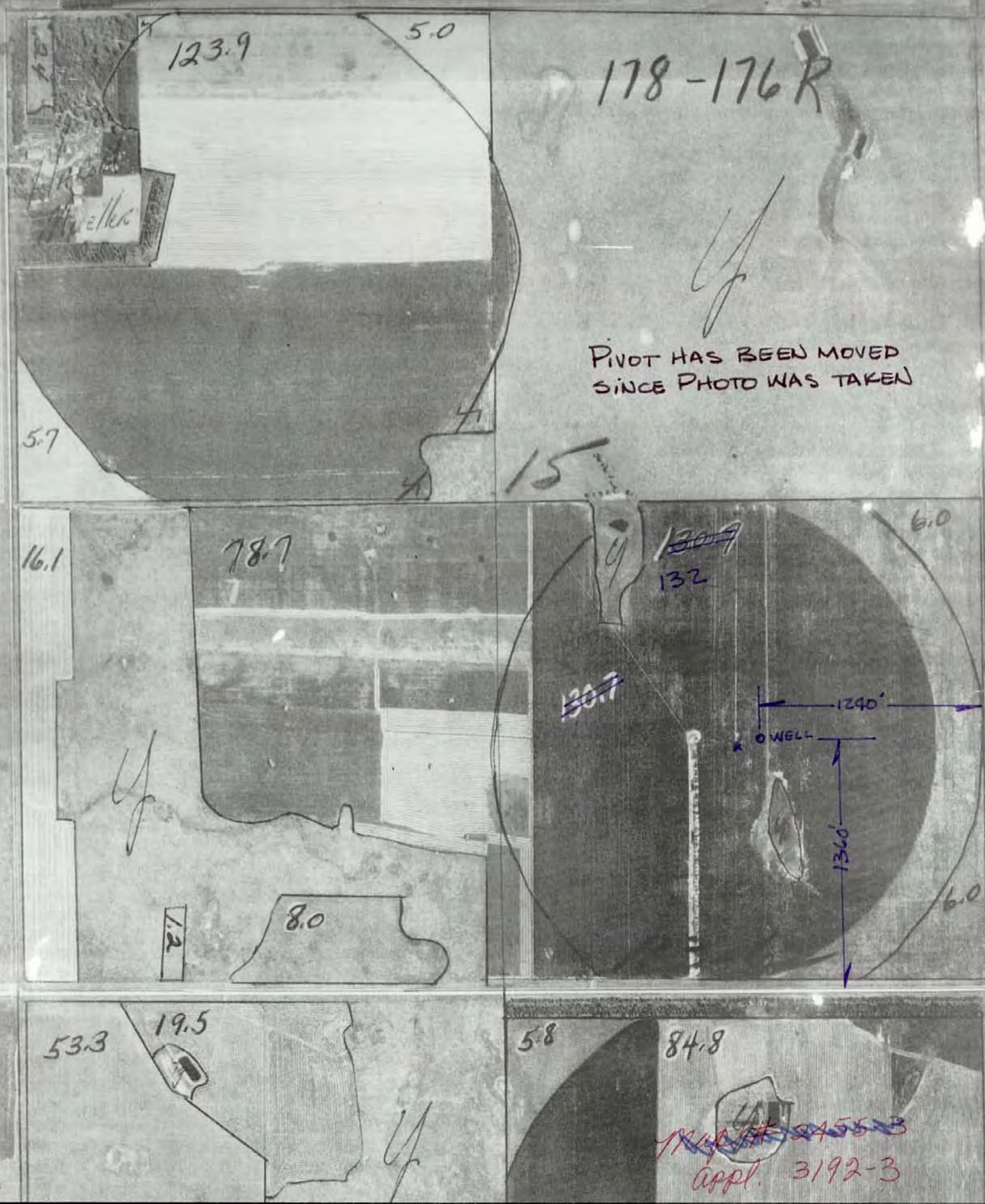
Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

*Scott called
10/19/04*

*Replacement well
right
beside
old
well*

700 gpm for new system

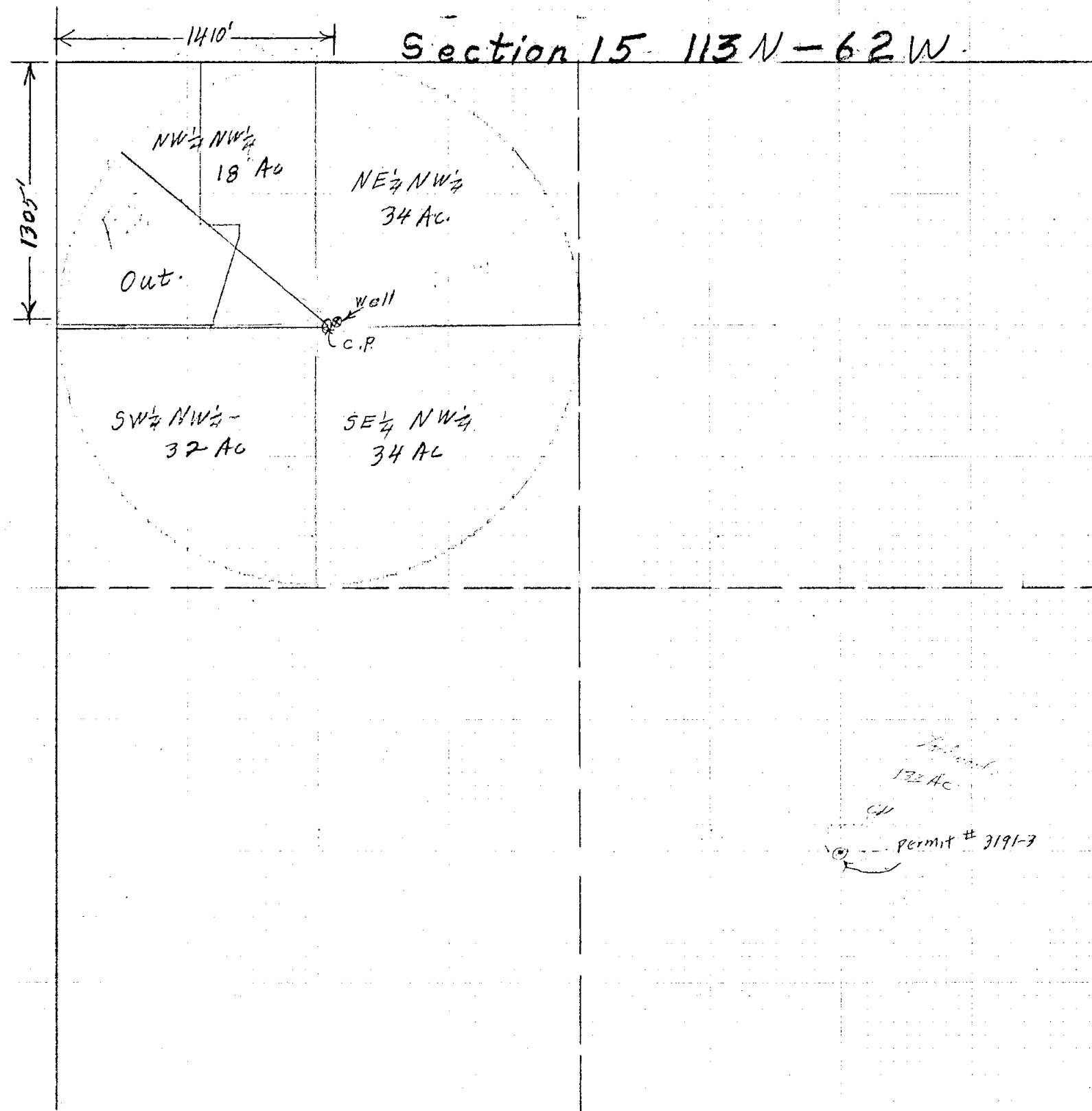
NOT TO SCALE



Harold Mueller
Hitchcock, S.D.

Prepared by
Dick Fodgen
Beadle Co. Ext. Dpt.
28 Sept '76

X proposed well location



MAP NO 2454.3 (APP NO 3191-3)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: SCOTT A MUELLER, 19216 397TH AVE, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4329

Your item was delivered at 11:07 am on January 26, 2006 in HITCHCOCK, SD 57348. The item was signed for by S MUELLER.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 4329		SCOTT A MUELLER 19216 397TH AVE HITCHCOCK SD 57348		illing.	
Waiver of Signature		☐ YES	☐ NO	POSTAL CUSTOMER:	
Postmark Here		Keep this receipt. For Inquiries: Access internet web site at www.usps.com [®] or call 1-800-222-1811			
		☐ Priority Mail [®] Service ☐ First-Class Mail [®] parcel ☐ Package Services parcel			



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2006

3191-3

Scott A Mueller
19216 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 3191-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: SCOTT A MUELLER, 19216 397TH AVE, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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

3191-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4278
Status: **Delivered**

Your item was delivered at 11:01 AM on January 19, 2008 in HITCHCOCK, SD 57348. The item was signed for by B MUELLER.

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

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No FEAR Act EEO Data

FOIA

United States Postal Service
Mission StatementUnited States Postal Service
Mission Statement

SCOTT A MUELLER
19216 397TH AVE
HITCHCOCK SD 57348

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

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

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 4278



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2008

3191-3

Scott A Mueller
19216 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 3191-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: SCOTT A MUELLER, 19216 397TH AVE, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

February 1, 2012

3191-3

Scott A Mueller
19216 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: SCOTT A MUELLER, 19216 397TH AVE, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

January 29, 2013

3191-3

Scott A Mueller
19216 397th Ave
Hitchcock SD 575348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
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
<http://denr.sd.gov>

October 23, 2013

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348 8004

Dear Mr. Mueller:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaire.

The notice was originally mailed to 19216 397th Ave, Hitchcock 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,

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

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2014

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

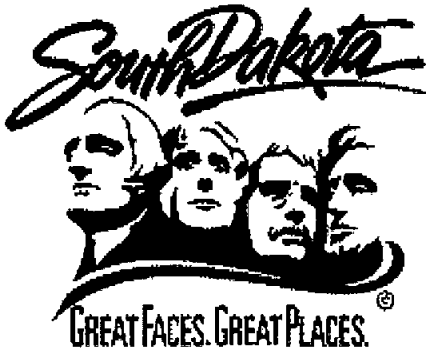
The hearing will be held at **9:00 am, March 6, 2014**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

January 28, 2014

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit No(s) 3191-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3191-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

English

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Updated Delivery Day: Saturday, January 17, 2015

Product & Tracking Information

Postal Product:

Features:

Certified Mail™

Available Actions

Return Receipt After Mailing

January 17, 2015, 10:34 am	Delivered	HITCHCOCK, SD 57348
Your item was delivered at 10:34 am on January 17, 2015 in HITCHCOCK, SD 57348.		
January 17, 2015, 7:41 am	Arrived at Unit	HITCHCOCK, SD 57348
January 17, 2015, 4:06 am	Departed USPS Facility	HURON, SD 57399
January 16, 2015, 9:45 pm	Arrived at USPS Origin Facility	HURON, SD 57399
January 16, 2015, 6:16 pm	Departed Post Office	PIERRE, SD 57501
January 16, 2015, 11:02 am	Picked Up	PIERRE, SD 57501

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SCOTT A MUELLER
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R USPS SITES

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PS Form 3800, August 2006

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www.denr.sd.gov

March 5, 2015

NOTICE OF ENTRY OF ORDER OF AMENDMENT OF WATER RIGHT

TO: Scott A Mueller, 19221 397th Ave, Hitchcock SD 57348

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment to Water Right No. 3191-3

On March 4, 2015, the Water Management Board amended Water Right No. 3191-3 to add the following qualification:

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

This action was taken for failure to return the 2014 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

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

English

Customer Service

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Have questions? We're here to help.

Tracking Number: 7009282000375842878

Product & Tracking Information

Postal Product:

Extra Svc:
Certified Mail™

Available Actions

Text Updates

Email Updates

Return Receipt After Mailing

DATE & TIME	STATUS OF ITEM	LOCATION
March 10, 2015, 10:17 am	Delivered	HITCHCOCK, SD 57348

Your item was delivered at 10:17 am on March 10, 2015 in HITCHCOCK, SD 57348.

March 6, 2015, 10:21 am	Notice Left (No Authorized Recipient Available)	HITCHCOCK, SD 57348
March 6, 2015, 4:32 am	Departed USPS Facility	HURON, SD 57399
March 5, 2015, 9:30 pm	Arrived at USPS Origin Facility	HURON, SD 57399
March 5, 2015, 6:06 pm	Departed Post Office	PIERRE, SD 57501
March 5, 2015, 12:58 pm	Picked Up	PIERRE, SD 57501

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Tracking (or receipt) number

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Total Postage & Fees	\$

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Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

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3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3191-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3191-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



3191-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 25, 2016

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3191-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3191-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 7, 2017

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3191-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3191-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 2018

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

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

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3191-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 25, 2019

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3191-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3191-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

3191-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2019

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

3191-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3191-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3191-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: DVULJP**

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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2021

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: VAN BUSKIRK FARMS LLP, MATT VAN BUSKIRK, PO BOX 98, HITCHCOCK, SD 57348
0098

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1723-3 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) 1504B-3, 3390-3A, 3191-3, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1504B-3, 3390-3A, 3191-3, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1723-3 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 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LZTUNL**

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.

3191-3



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

January 20, 2023

NOTICE

TO: SCOTT A MUELLER, 19221 397th Ave, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3191-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3191-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3191-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LKKZDA**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 6, 2023

3191-3

Scott A Mueller
19221 397th Ave
Hitchcock SD 57348

Dear Mr. Mueller:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire. Matt Van Buskirk stopped by the office and submitted the information.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 3191-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 2, 2024

1504B-3, 3390-3A, 3191-3
5601-3, 7264-3, 7315A-3
1723-3, 7316-3 & 8261-3

Van Buskirk Farms LLC
c/o Matt Van Buskirk, Mgr
PO Box 98
Hitchcock SD 57348

Dear Mr. Van Buskirk:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1504B-3, 1723-3, 3390-3A, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The irrigation questionnaire for Scott Mueller's Permit No. 3191-3 has not been received. Permit No. 3191-3 is still scheduled to be reviewed by the Water Management Board on Wednesday, March 6, 2024. If the irrigation questionnaire is returned prior to the March 6th meeting, it will be removed from the agenda.

cc: STEVEN NICOLAI, 4535 MORMAN COULEE RD, LACROSS WI
SCOTT A MUELLER, 19221 397TH AVE, HITCHCOCK SD 57348



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 5, 2024

3191-3

Matt Van Buskirk, MGR
PO Box 98
Hitchcock SD 57348

Dear Mr. Van Buskirk:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 3191-3. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: It is the understanding of the Water Rights Program that Mr. Mueller has passed away. Future correspondence and Irrigation Questionnaires will be mailed to your attention at the above address. When ownership of the property or Mr. Mueller's estate has been settled, please contact our office so that ownership of Water Right No. 3191-3 may be transferred accordingly.