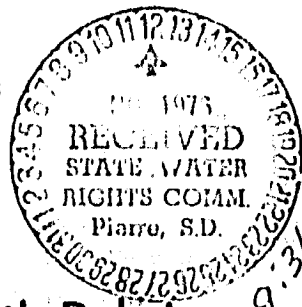


1. Considered 3-26, 1977 3326-3
2. Name of Applicant LARRY A. WICKS
3. Post Office Address CAVOUR
4. Amount of water claimed 2.0
5. Source of water supply 132' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in _____ county
about 3 1/2 S, 2 1/2 W miles _____ of ~~Harmon~~ CAVOUR
8. Proof of Publication Received 4-14-77
Not Received _____
9. Application Approved 3-28-79
Subject to W.I.
Not Approved _____
Action deferred _____
10. Remarks.

No. 3326-3
 Map No. 2612-3 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 Larry A. Wicks
 Postoffice address RR, Cavour, State South Dakota 57321
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Larry A. Wicks - Unit #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 CENTER OF THE NW 1/4 SECTION 34, T110N, R60W

- County Beadle
 7. Annual period or periods during which water is to be used March -- November
 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 34-110-60	160		

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 The Daily Plainsman, Huron, South Dakota
 12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center 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)

County of Beadle) ss.

I, Larry A. Wicks, 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 Larry A. WicksSubscribed and sworn to before me this 29 day of Oct 19 76

Notary Public (or other qualified officer)

COMMISSION EXPIRES

MARCH 4, 1984

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3326-3

LARRY A. WICKS
(Applicant)

R.R. CAVOUR
(Post Office Address)

SOUTH DAKOTA 57324
(State)

With the following modifications:

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.

Date of first receipt of application NOVEMBER 12, 1976

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

Date of receipt of corrected application DECEMBER 15, 1976

Approved MARCH 28, 1979, Recorded in Book 20 Page 211

WATER RIGHT PERMIT NO. 3326-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3326-3 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 NOVEMBER 12, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 28, 1981
3. The whole of said work is to be completed on or before MARCH 28, 1984
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 1986
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 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 MARCH 28, 1986; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 4th day of APRIL, 1979

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

HURCH DRILLING INC. DRILLERS LOG

PAGE NO. 1

Larry A. Wicks

NW 1/4 of 34-110-60

10/11/76

19

Steven Fuehl

JOB NAME

LOCATION

DATE

RIG NO.

FOREMAN

PI No	DEPTH	TIME	REMARKS	DESCRIPTION	
1	0-10		Topsoil, 2-18 Yellow Clay - Rocks		
2	10-20		18-20 Blue Clay		
3	20-30		Blue Clay		
4	30-40		Blue Clay & Rocks		
5	40-50		Blue Clay, Some Gravel		
6	50-60		Blue Clay, Coarse Sand Streaks		
7	60-70		Blue Clay, Coarse Sand Streaks		
8	70-80		Blue Clay 70-75, Good Sand 75-80		
9	80-90		Good Sand 80-88, Blue Clay & Coal 88-91		
10	90-100		Coal, Sand & Good Gravel		
11	100-110		Coal & Good Sand		
12	110-120		110-115 Sand, 115-120 Streaks of Coarser Gravel		
12	120-130		Gravel, Good		
13	130-132		Good		

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 _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. Log will be furnished by driller

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property 160 rds. On property owned by others 80 rds.

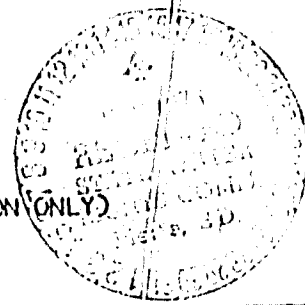
G. Water Storage Dams.

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.

Larry A. Wicks
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 ONLY)



NAME Larry A. Wicks
ADDRESS RR, Cavour, South Dakota 57324
COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION NW $\frac{1}{4}$ of 34-110-60
2. LOCATION OF AREA TO BE IRRIGATED NW $\frac{1}{4}$ of 34-110-60

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Small Grain

WATER QUALITY

5. SAMPLE NUMBER 76-1820
6. SALINITY (EC X 10⁶) 139.5 (high)
7. SODIUM (SAR) 7.30 (medium)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.44

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.

Larry A. Wicks
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
29 DAY OF OCT 19 76.

Karl L. [Signature]
(TITLE OR SEAL)

MARCH 4, 1976

[Signature]
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: Larry A. Wicks
 Address: Cavour, SD 57324
Co: Huron Drilling, Inc.
P.O. Box 1422
Huron, SD 57350

Date Rec'd November 9, 1976
 Sample No. 76-1820
 Identification #1 Well
NW 1, Sec. 34, T. 11N, R. 60W.

WATER ANALYSIS

Calcium (Ca)	104	ppm*	5.20	me/l**
Magnesium (Mg)	21	ppm	1.72	me/l
Sodium (Na)	312	ppm	13.57	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	574	ppm	12.94	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	51	ppm	1.43	me/l
Bicarbonate (HCO ₃)	449	ppm	7.36	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	368	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1395	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	7.30			
Sodium	65.24	% of cations		
Residual sodium carbonate	0.44	me/l		
pH	7.88			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 20.80 me/l
 Total anions 20.73 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1820

Amount Enclosed \$.....

Signed.....



December 6, 1976

Mr. Larry A. Wicks
R.R.
Cavour, SD 57324

Dear Mr. Wicks:

Your water sample (Lab No. 76-1320) 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 marginally satisfactory for soils with satisfactory internal drainage. However, because a considerable portion of the land you intend to irrigate consists of very fine textured soils, or has an intermittently high water table, or both, this water will be unsatisfactory on a long time basis.

Therefore, I recommend that this application not be approved unless tile drainage is installed to relieve high water table conditions and salinity increases, which are inevitable under these circumstances.

A copy of this letter, the water analysis, and the W11 form are being sent to the State Conservation Commission in Pierre for their action.

Sincerely yours,

L. O. Fine

L. O. Fine

Water Quality Lab

LOP:ckb

Enclosures

cc: State Conservation Commission

P.S. The Hoven soils within soil area 18 and many spots in soil area 26 will give you extreme grief and very poor returns. I recommend most strongly you not proceed with this land. Perhaps you can find another area adjacent to this land with more suitable soils.

Form 6 - Notice of Intent to Appropriate Water

No. 3326-3

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 30, 1977

Notice is hereby given that Larry A. Wicks
whose post office address is Cavour, 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 ground water through the
Larry A. Wicks Unit 1, the point of diversion of which is to be located in the _____

center of NW $\frac{1}{4}$

of Section 34, Twp. 110N, Range 60W. Said water to be used for the purpose
of providing irrigation on the following described land:

NW $\frac{1}{4}$, Section 34, T110N, R60W

This application No. 3326-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of MAY, 1977, at 9:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**JAMES WINTERSTON
Water Rights Specialist**

BFJ/lw
cc:

Larry A. Wicks, R.R., Cavour, SD 57374

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.

I, Brenda Haskett hereby

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

Water was taken from the Huron Daily Plainsman

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:

4-6-77 4-13-77

Brenda Haskett
(Signature)

Bookkeeper

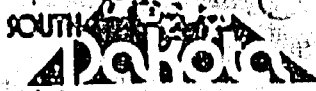
(Title)

4-13-77

(Date Signed)

F.P. 4471 L.P. 41377
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
March 30, 1977
Notice is hereby given that
Larry A. Wicks whose post office
address is Cavour, South Dakota,
has made an application in ac-
cordance with the provisions of the
water laws of South Dakota for a
perennial right to appropriate (for
beneficial use) 2.0 cubic feet of
water per second of time from
ground water through the Larry A.
Wicks Unit No. 11, the point of
diversion of which is to be located
in the center of NW1/4 of Section 34,
Twp. 110N, Range 60W, said water
to be used for the purpose of
providing irrigation on portions of
the following described land:
NW1/4, Section 34, T110N, R60W, S.
This application No. 3326-3 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 26th day of May,
1977, at 9:00 a.m. All interested
persons may appear and be heard.
WATER RIGHTS COMMISSION
By James Winterton, Water Rights
Specialist
No. 250 (adv.)





3326-3
BEADLE COUNTY DEFERRED

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

January 16, 1978

TO: Holders of Deferred Applications in Beadle County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Beadle County Water Right Applications at 4:00 P.M., January 25, 1978 at the South Dakota Education Administration Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 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, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These Applications were deferred by the Water Rights Commission during 1977, pending Staff investigation.

After reconsideration of the deferred Applications the Commission can approve, defer, or deny all or part of any of these Applications.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BFJ/bw

33.06-3

Department of Natural Resource Development

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

March 14, 1979

TO: Holder of Deferred Applications in Beadle County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications in Beadle County at 4:15 p.m., March 28, 1979, at the Community Room, Pierre City Hall, 222 East Dakota, Pierre South Dakota.

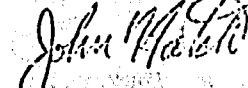
This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were previously deferred by the Water Rights Commission, pending Staff investigation.

After reconsideration of the deferred applications the Commission can approve, conditionally approve, defer, or deny all or part of the Application.

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 Commission may be appealed to the Courts as provided by law.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

No. 332A-3

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

June 16, 1982

Larry A Wicks
Cavour
South Dakota 57324

Dear Mr. Wicks:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 3326-3 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

KAREN SCHLAACK
Administrative Secretary

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

WNR-814-7/79
Notification of Water License Ready for Issuing (\$50.00)

Permit No. 3326-3
 Water Division 3 JAMES RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by LARRY A. WICKS of CAVOUR holder of Permit No. 3326-3, bearing date of priority of NOVEMBER 12, 1976 authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUNDWATER 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:

120' DEEP WELL WITH 16" PLASTIC CASING - 20' PLASTIC SCREEN
AURORA 6" PUMP 410RM, POWERED BY 40 HP U.S.
ELECTRIC MOTOR @ 1765 RPM

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

600' OF 6" BURIED PVC TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

ZIMMATIC 7 TOWER CENTER PIVOT - MODEL 370
LOW PRESSURE WITH NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 870' E & 920' S OF THE NW CORNER,
SECTION 34, T110N, R60W

The works are capable of diverting and conveying to the place of use 1.22 (550 GPM)
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SEC 34, T110N, R60W

<u>NW⁴ NW⁴</u>	<u>24 ACRES</u>
<u>NE⁴ NW⁴</u>	<u>33 ACRES</u>
<u>SW⁴ NW⁴</u>	<u>33 "</u>
<u>SE⁴ NW⁴</u>	<u>33 "</u>

comprising a total of 123 acres of land.

Date MAY 5, 1988
Dustin Jones
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. .3326-3

(1) WHEREAS, On the 12th day of November A. D. 19 76
Larry A Wicks

made Water Right Application No. 3326-3 for a permit to use 2.0 cubic feet per second of the waters of groundwater (one well)

County of Beadle, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 28th day of March A. D. 19 79

Permit No. 3326-3, with a date of priority of November 12, 1976
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 28th day of March A. D. 19 84 and for the application to beneficial use of said water on or before the 28th day of March A. D. 19 86

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.22 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,
 to irrigate the following land all in Section 34, T110N, R60W

NW $\frac{1}{4}$ NW $\frac{1}{4}$	24 acres (BB)
NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 " (BA)
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 " (BC)
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 " (BD)
TOTAL 123 acres	

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

_____ of Cavour, South Dakota
the holder _____ and owner _____ of said permit No. 3326-3 a water right, dating from November 12, 1976
_____ to use of 1.22 cubic feet per second of the waters
of groundwater (one well)

in the County of Deuel and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 870' E and 920' S of the NW corner, Section
34, T110N, R60W (53)

and conducted to and upon portions of Section 34, T110N, R60W more fully described
on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3326-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of July A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3326-3

Water Diversion No. 3 James River Water District
10160001

CERTIFICATE OF CONSTRUCTION

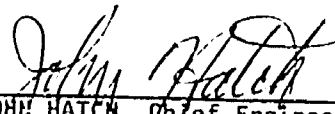
This is to Certify, That Larry Wicks

_____ the holder _____ of
Permit No. 3326-3, issued upon Application No. 3326-3, bearing date of priority of _____
November 12, 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 870'E and 420'S of the NW corner, Section 34, T11N, R60W (BB)

_____, for irrigation

_____ purposes, 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 1.22 cu. ft. per second of water.

Date July 6, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

No 4 8883

State of South Dakota

PIERRE, July 6 1982

RECEIVED OF Larry Wicks, Cavour SD 57324

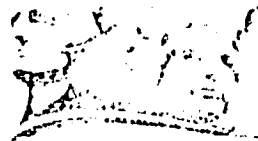
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for inspecting Construction, and issuing Cert. of Construction No. 3326-3	50 00
Fee for inspecting Beneficial Use, and issuing Water License No. 3326-3	
Fee for issuing Location Certificate-Dry Draw. No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	50 00

WATER RIGHTS COMMISSION

by *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH Cks

South Dakota



GREAT FACES. GREAT PLACES.

3326-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

LARRY A WICKS
RR 1 BOX 133
CAVOUR SD 57324

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 3326-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s) 3326-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

Very truly yours,

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

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: LARRY A WICKS RR 1 BOX 133 CAVOUR SD 57324	4. Article Number P694 057 368 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X <i>Larry A Wicks</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>[Signature]</i>	
7. Date of Delivery <i>11/2/91</i>	



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 11, 1991

3326-3

Larry Wicks
RR #1 Box 133
Cavour, SD 57324

Dear Mr. Wicks:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 3326-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



3326-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 17, 2003

NOTICE

TO: LARRY A WICKS, 21316 409TH AVE, CAVOUR, SD 57324 6628

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No. 3326-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3326-3 to require the Irrigation Water Use Questionnaire to be submitted each year,
2. Postpone any action; or
3. Take no action.

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

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

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.

3326-3



Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 6475

Your item was delivered at 11:58 am on January 18, 2003 in CAVOUR, SD 57324. The item was signed for by J WICKS.

[Request Delivery Record](#)

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LARRY A WICKS
21316 409TH AVE
CAVOUR SD 57324 6628

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PS Form 153, February 2001



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 2003

3326-3

Larry A Wicks
21316 409th Ave
Cavour SD 57324-6628

Dear Mr. Wicks:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 3326-3.

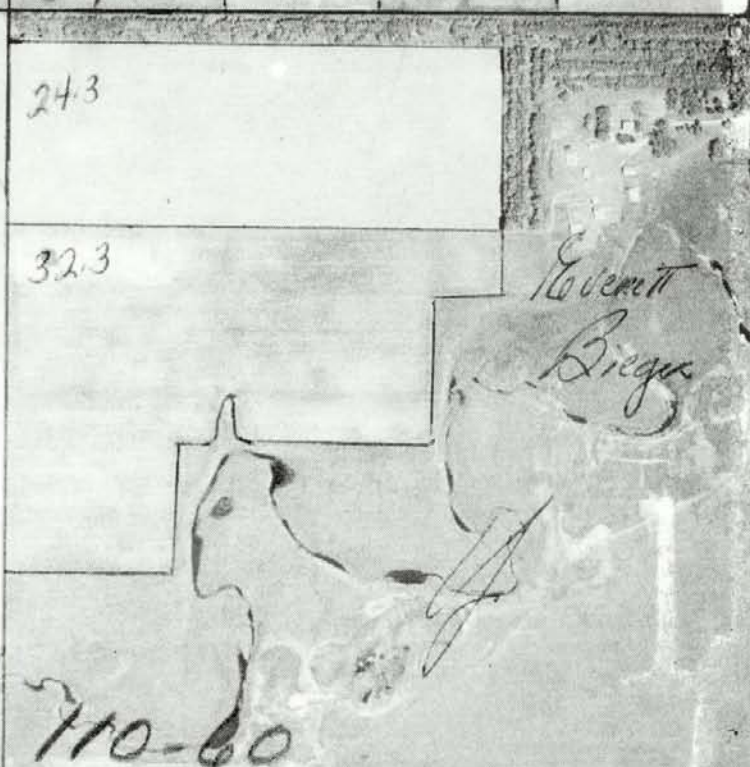
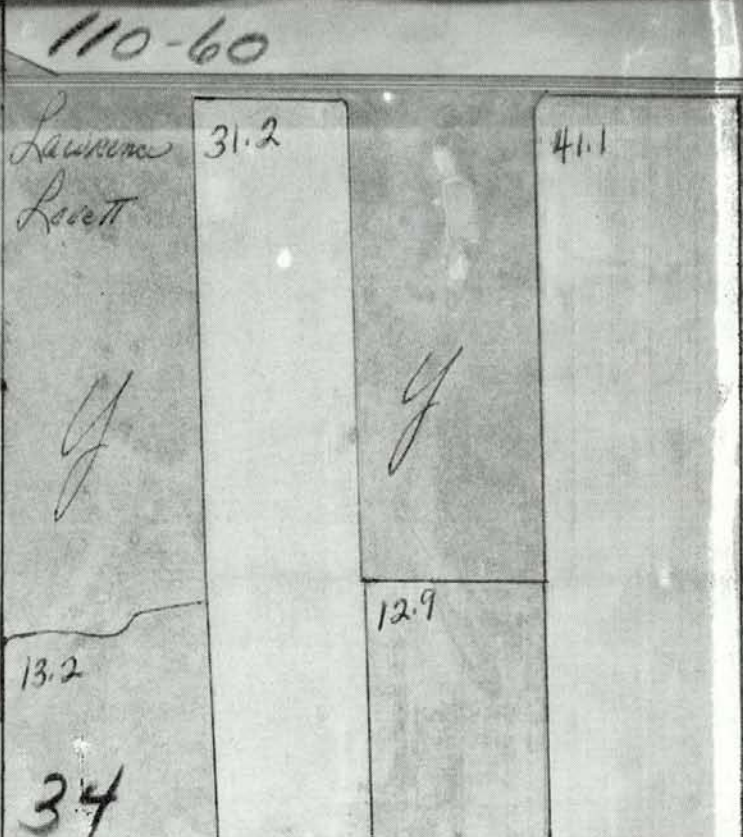
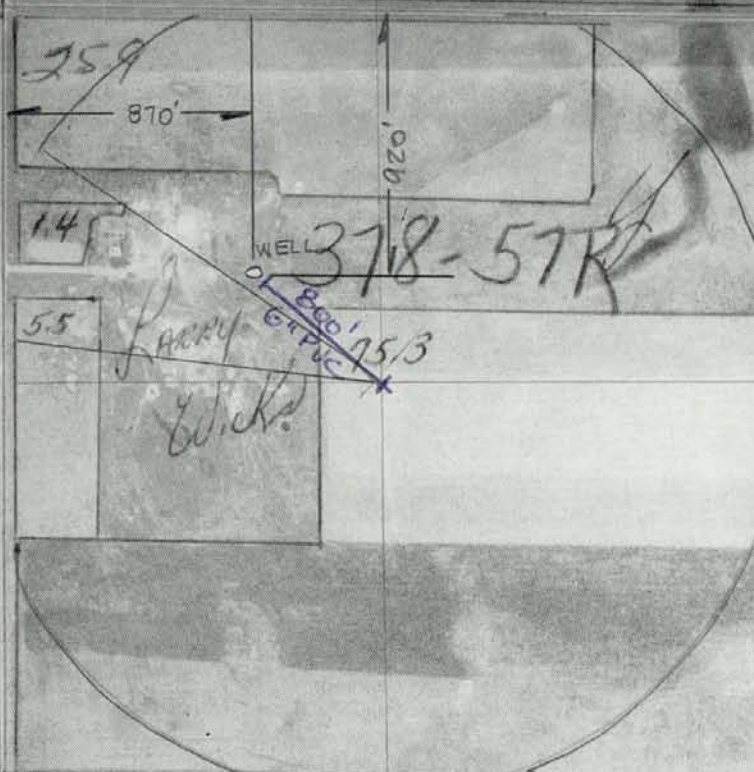
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE





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: LARRY A WICKS, 21316 409TH AVE, CAVOUR, SD 57324 6628

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) 3326-3. 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) 3326-3 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:

<http://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.

3326-3

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Status: **Delivered**

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4544	
LARRY A WICKS 21316 409TH AVE CAVOUR SD 57324 6628	
Waiver of Signature	☐ YES ☐ NO
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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www.state.sd.us/denr

January 29, 2008

3326-3

Larry A Wicks
21316 409th Ave
Cavour SD 57324-6628

Dear Mr. Wicks:

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. 3326-3.

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**

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

November 8, 2012

3326-3

Larry Wicks
21316 409th Ave
Cavour SD 57324 6628

Dear Mr. Wicks:

Thank you for the prompt return of your 2012 irrigation questionnaire. You are up to date for another year.

You indicated on the questionnaire that the renter has not been using the system. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

This may or may not have a bearing on your farming operation however I wanted to let you know what the criteria are for maintaining your water right. If you have any questions after reviewing the enclosed excerpts, please give me a call.

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

enclosure

McMath, Genny

From: Larry Wicks <wicksauction@outlook.com>
Sent: Monday, April 07, 2014 12:42 AM
To: McMath, Genny
Subject: RE: Water Right No. 3326-3

Genny McMath,

In response to your inquiry, we have hired a company to come out and fix our system as soon as they can get here. (weather permitting.) Unfortunately, the person we rented our land to for the last several years did not maintain the equipment properly, and was the reason the irrigation system was not used. We recently made the decision to farm our own land, and thus decided to fix the system for use this season as we are growing alfalfa and will probably use it regularly.

I hope this information helps.

Sincerely,
Larry Wicks
605-599-2366

From: Genny.McMath@state.sd.us
To: wicksauction@outlook.com
Subject: Water Right No. 3326-3
Date: Tue, 1 Apr 2014 12:13:30 +0000

Mr. Wicks,

I am writing in follow-up to your 2013 irrigation questionnaire. You indicated on the form that the irrigation system was not working and due to financial considerations it could not be fixed at this time.

A review of past irrigation questionnaires shows the land was last irrigated in 2003. A majority of the comments on the forms indicated your renter chose not to irrigate but nothing was mentioned as to why he did not irrigate. Water rights need to be used in order to be maintained. Do you feel at this point that you will be irrigating again? Please give me a call or let me know through email what your intent is towards the water right.

Thank you in advance,

Genny McMath
Water Rights Program
605.773.5455



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 8, 2020

3326-3

Vaughn Wicks
Western Icon Land Development Co Inc
21316 409th Ave
Cavour SD 57324

Dear Mr. Wicks:

I am writing in follow-up to the on-line irrigation questionnaires you submitted for Water Right Nos. 1736-3 and 3326-3.

You made mention of necessary changes needed regarding either ownership or change in contact person. Water Right No. 1736-3 is already in Western Icon Land Management, so I went ahead and changed the contact person to you. Water Right No. 3326-3 is in Larry Wick's name and will need to be transferred to reflect current ownership.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

3326-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 2021

3326-3

Vaughn Wicks
Western Icon Land Development Co Inc
21316 409th Ave
Cavour SD 57324

Dear Mr. Wicks:

I am writing regarding the ownership change needed for Water Right No. 3326-3. A transfer of ownership form was sent to you December 8, 2020. To date we have not received anything back from you.

In the event you do not have the original form, I am enclosing another partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

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

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

enclosure



3326-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 28, 2021

3326-3

Vaughn Wicks
Western Icon Land Development Co Inc
21316 409th Ave
Cavour SD 57324

Dear Mr. Wicks:

In December 2020, you notified us that ownership needed to be changed on Water Right No. 3326-3 held by Larry Wicks. A "transfer of ownership" form was sent to you December 8, 2020 and February 10, 2021. To date, we have not received a completed form back from you.

Enclosed is another partially completed form. Please review and complete as needed. A \$50 fee is required for filing an ownership change. The check or money order for the fee can be made payable to the Water Rights Program.

If an ownership change is no longer needed and the water right should remain in the name of Larry Wicks, please let me know.

Sincerely,

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: WESTERN ICON LAND DEVELOPMENT CO INC, VAUGHN WICKS, 21316 409TH AVE,
CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 3326-3 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) 1736-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1736-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3326-3 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 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: BXMGKY**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 25, 2022

1736-3
3326-3

Vaughn Wicks
Western Icon Land Development Co Inc
21316 409th Ave
Cavour SD 57324

Dear Mr. Wicks:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 1736-3 and 3326-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I am enclosing a partially completed transfer form for No. 3326-3. The water right is still listed under Larry Wicks. If you have any questions, please contact me.

Sincerely,

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

enclosures



**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: WESTERN ICON LAND DEVELOPMENT CO INC, VAUGHN WICKS, 21316 409TH AVE,
CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 3326-3 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) 1736-3 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) 1736-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3326-3 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 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 questionnaires 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: GLQFEI**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 25, 2023

1736-3
3326-3

Vaughn Wicks
Western Icon Land Development
21316 409th Ave
Cavour SD 57324

Dear Mr. Wicks:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1736-3 (Western Icon Land Development) and 3326-3 (Larry Wicks). 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



3326-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 1, 2023

Vaughn Wicks
Western Lincoln Land Development Co Inc
21316 409th Ave
Cavour SD 57325

3326-3

Dear Mr. Wicks:

In December 2020, you notified our office that ownership needed to be changed on Water Right No. 3326-3, held by Larry Wicks. "Transfer of Ownership" forms were sent to you in December 2020, February 2021, and again in April 2021. To date, we have not received a response from you.

Enclosed is another form, partially completed. Please review and complete as needed.

A \$50.00 fee is required for the filing of an ownership change. The check or money order can be made payable to the South Dakota Water Rights Program.

If an ownership change is no longer needed and the water right should remain in the name of Larry Wicks, please let us know.

Sincerely,

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

enclosure



3326-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 16, 2023

Western Iron Land Development Co Inc
21316 409th Ave
Cavour SD 57324

3326-3

Dear Mr. Wicks:

I am writing to acknowledge the receipt of your Transfer of Ownership form and filing fees.

The ownership change has been completed. Water Right No. 3326-3, for the 123.0 acres in the NW ¼ of Section 34, T110N, R60W under the Larry A Wicks is now listed under Western Iron Land Development Co. Inc.

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

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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

PAID

JUN 15 2023
CHK# 8195
REC'D# 6/15/23

No. 3326-3

Date: _____

I/We request that Water Permit No. 3326-3

formerly owned by: Larry Wicks - 21316 409th Ave, Cavour SD 57324

be transferred to: (name & address) Western Icon Land Development Co, Inc,
21316 409th Ave, Cavour, SD 57324

Telephone No. (605) 350-8110

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

NW ¼ NW ¼ - 24 acres	SW ¼ NW ¼ - 33 acres	
NE ¼ NW ¼ - 33 acres	SE ¼ NW ¼ - 33 acres	TOTAL: 123 acres

I/We understand that the validity of Water Permit No. 3326-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Western Icon Land Development Co, Inc, the new owner, certify that the above information is true and correct.

Larry Wicks, president

(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 Agriculture and Natural Resources

Date June 15, 2023

RECEIVED OF Western Icon Land Development Co. Inc.

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>3326-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
um



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: WESTERN ICON LAND DEVELOPMENT CO INC, VAUGHN WICKS, 21316 409TH AVE,
CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 3326-3 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) 1736-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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) 1736-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3326-3 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 5, 2025**, 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: RITJMG**

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

March 3, 2025

1736-3
3326-3

Western Icon Land Development Co Inc
c/o Vaughn Wicks
21316 409th Ave
Cavour SD 57324

Dear Mr. Wicks:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1736-3 & 3326-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 10, 2026

3326-3

1736-3

Western Icon Land Development Co Inc
C/O Vaughn Wicks
Cavour, SD 57324

Dear Mr. Wicks,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us



1736-3
3326-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: WESTERN ICON LAND DEVELOPMENT CO INC, VAUGHN WICKS, 21316 409TH AVE,
CAVOUR, SD 57324

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaires

Our records indicate your 2025 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 3326-3 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) 1736-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 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) 1736-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3326-3 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TMTCBV**

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.