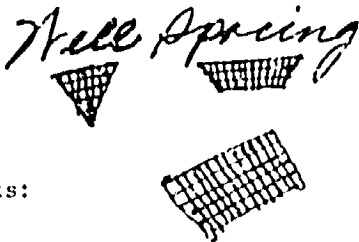


Water Right Number 3349-3

1. Considered 1-26, 19 77
2. Name of Applicant ROBERT E. DUNCAN
3. Post Office Address ONIDA
4. Amount of water claimed 4.40
5. Source of water supply UP TO 5-60' WELLS
6. Water to be used for IRRIGATION
Acres to be irrigated 640
7. Water to be diverted and used in SULLY County
about 7W, 4S Miles of ONIDA
8. Proof of Publication
Received 1-5-77
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:



WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3349-3
ROBERT E. DUNCAN Box 613, ONIDA
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57564 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

THE WELLS APPROVED UNDER THIS PERMIT SHALL BE SPACED SO THAT THERE IS AT LEAST 660' BETWEEN WELLS.

Date of first receipt of application NOVEMBER 12 19 76
 Date of return to applicant for correction, amendments or changes required 19
 Date of receipt of corrected application DECEMBER 17 19 76
 Approved JANUARY 26 19 77 Recorded in Book 17 Page 118

WATER RIGHT PERMIT NO. 3349-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3349-3 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 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 26 19 77
3. The whole of said work is to be completed on or before JANUARY 26 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26 19 79
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 4.40 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 26 19 79; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 8TH day of APRIL 19 77

WATER RESOURCES COMMISSION

By:

John Walsh
 Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 16 19 81

Water License Issued JUNE 16 19 81

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

D. ~~Well~~ Information or Estimates

- (1) Drill Hole, Diameter 24", Depth 160 feet
- (2) Casing Type Steel (wood, concrete, steel, etc) Diameter 18" Thickness --
- (3) Perforated Screen.
Type Form Well Screen Diameter 18", Length --
- (4) Gravel Pack Thickness --, Length of gravel pack --

E. ~~Dugout~~ Information or Estimates

- (1) Surface dimensions --, Depth --

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

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

Character of Water bearing materials Gravel

--

--

--

Depth to top of water bearing material 4 feet

Depth to bottom of water bearing material 56 feet

Thickness of water bearing material 52 feet

Depth to water (ground surface to water level) 17 feet

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

On same owner's property 320 rds. On property owned by others 100 rds.

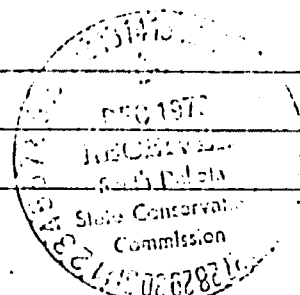
G. ~~Water Storage Dams.~~

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.

Robert E. Duncan
Signature of Applicant

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 DANEEN, Robert E.
ADDRESS Box 613 Orinda, S.D.
COUNTY Sully



LEGAL DESCRIPTION

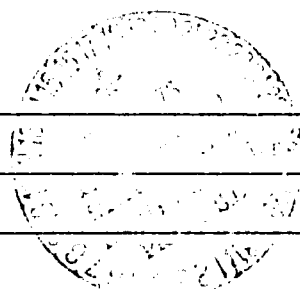
1. WELL LOCATION S 1/2 Sect. 27 - 114-78
2. LOCATION OF AREA TO BE IRRIGATED Sect 27

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED CORN - FLF.

WATER QUALITY

5. SAMPLE NUMBER 76-1579
6. SALINITY (EC X 10⁶) 640 (-medium-)
7. SODIUM (SAR) 0.68 (low)
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 Sully Co. 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.

Robert E. Daneen
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF June 19 76

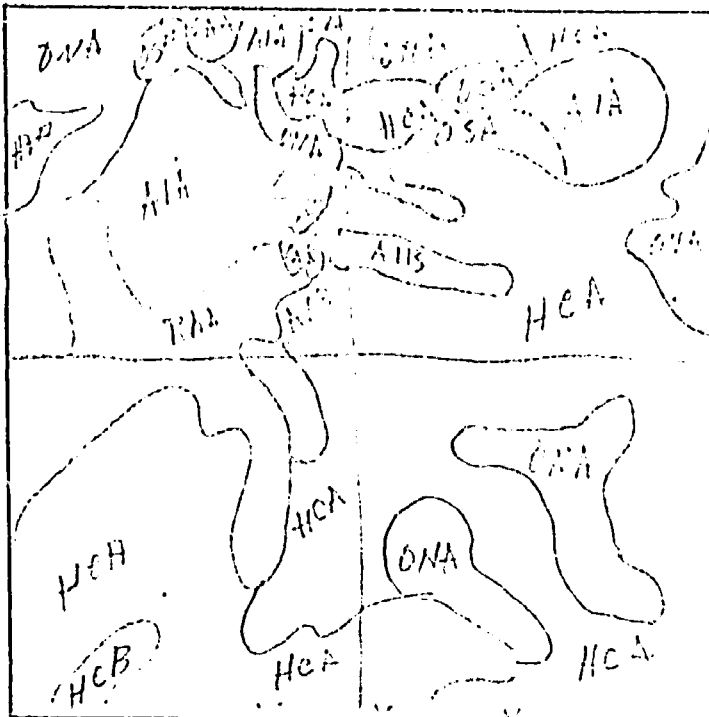
Daniel Lund
TITLE OR SEAL

Albert A. Hagen
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

Sheet 53-114-78

MAP



NARRATIVE

Well Locations

See Sheets 53 & 54 Sully Co. South Dakota.

ALA } Arkka on A+B slope,
AIB }

HCA - Highmore si lo, 0-2%

HCA - Highmore - Eakin, 0-2%

ONA - Onita si lo, 0-2%

ONA - Onita loam, 0-2%

ONA - Onita - Homan si lo, 0-1%

REPORT OF ANALYSIS

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

Submitted by: Robert E. Tancan
Address: Box 613
Onida, SD 57564

Date Rec'd: November 18, 1976
Sample No. 76-1879
Identification: Well
St. Joe. 27, T. 114N, R. 72E

WATER ANALYSIS

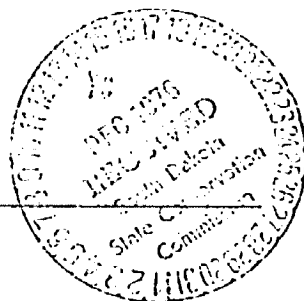
Calcium (Ca)	76	ppm*	3.80	me/l**
Magnesium (Mg)	25	ppm	2.05	me/l
Sodium (Na)	27	ppm	1.27	me/l
Potassium (K)	5	ppm	0.23	me/l
Sulfate (SO ₄)	100	ppm	2.00	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	15	ppm	0.42	me/l
Bicarbonate (HCO ₃)	256	ppm	4.20	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	210	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	640	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.68			
Sodium	16.36%	of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.62			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 7.15 me/l
Total anions 6.70 me/l



By: Shirley Hitten

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. 76-1879

Amount Enclosed \$

Signed

December 13, 1976



Mr. Robert E. Duncan
Box 613
Onida, SD 57564

Dear Mr. Duncan:

Your water sample (Lab. No. 76-1879) 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 AFS 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.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The MI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. G. Fine

L. G. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

P.S. There are two soil areas in the north part of the tract labeled OsA. These have heavy soils in some places and could cause equipment to bog down, salt to accumulate, water to stand and crops to fail. If drainage is any way feasible before you start up, take measures to drain off water. Otherwise avoid irrigating those areas if at all possible.

NOTICE OF WELL CONSTRUCTION

Sully

(1) WELL CONSTRUCTION

Location of well: 2-56-14-81 Section 27 Township 110 Range 28
 Well owner: Bob Duncan (Name) Duncan, Bob (Address)
 Date well drilling completed: 4-14-22 Purpose of well: _____
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layer, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
<u>0-2</u>	<u>Top P Soil</u>	Depth to static water level _____ ft.
<u>2-5</u>	<u>Clay</u>	Name of producing aquifer (if known) _____
<u>5-7</u>	<u>Sand</u>	Total depth of drill hole _____ ft.
<u>7-16</u>	<u>Clay</u>	Depth to bottom of casing _____ ft.
<u>16-31</u>	<u>Clay & sand</u>	Casing information in the space below show kind, size, weight, length, per diameter, etc., for production casing and surface casing, if used. <u>15" Black Steel</u> Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations. <u>100 Scott Johnson Irrigator</u> <u>15"</u>
<u>31-48</u>	<u>Shale & Water</u>	
<u>48-49</u>	<u>Red & Blue Clay</u>	
<u>49-50</u>	<u>Blue Clay & Sand</u>	
<u>50-51</u>	<u>Red Rock & Sand</u>	
_____	_____	If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

(2) PUMP INSTALLATION

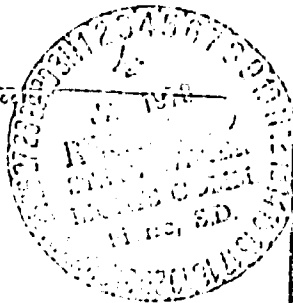
Company name and size of pump _____
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft. Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.403 of Chapter 464, MINNESOTA WELL CONSTRUCTION STANDARDS.

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

Plans of Pump Installation Controlling



July

©

Date well drilling completed: 4-26-77 Purpose of well: _____
(domestic, irrigation, municipal, industrial, other)

(domestic, irrigation, municipal, industrial, other)

Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or cozing perforations.

Attach sheet if more space is needed

If a flowing well, flow of complete well _____ g.p.d.

John H. Brown Co.
Home of Drilling Contractors

Instructor
James M. Toke

112 _____

304

— $\mathcal{G}^2, \mathcal{G}$.

(3) WATER SURFACE MEASURING TUBE

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

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3349-3

(1) WHEREAS, On the 12th day of November A. D. 19 76
Robert E. Duncan

made Water Right Application No. 3349-3 for a permit to use 4.40 cubic feet per second of the waters of groundwater (two wells)

County of Sully, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 26th day of January A. D. 19 77

Permit No. 3349-3, 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 26th day of January A. D. 19 78 and for the application to beneficial use of said water on or before the 26th day of January A. D. 19 79

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 1.78 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 lands all in Section 27, T114N, R78W

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 33

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 33

TOTAL 132 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 Robert E. Duncann

of Golden SD
the holder and owner of said permit No. 3349-3 water right, dating from November 12, 1976
a use of 1.79 cubic feet per second of the waters
of groundwater (two wells)

In the County of Sully and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a south well 1320' west and 25' north of SE corner,
East well, 700' north and 40' west all from SE corner, Section 27, T14N, R78W

and conducted to and upon portions of land in SE1, Section 27, T14N, R78W more
fully described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3349-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of June A. D.
Nineteen Hundred and Eighty one

By: John Hatch
WATER MANAGEMENT BOARD
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3349-3

Water Diversion No. 3 Missouri River Water District

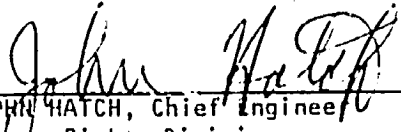
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert E. Duncan

_____ the holder _____ of
Permit No. 3349-3, issued upon Application No. 3349-3, bearing date of priority of November, 1976,
authorizing the diversion of 4.40 cu. ft. per second of the waters of _____
~~groundwater (two wells)~~ County of Sully, State of South Dakota at _____
~~south well 1320' west and 25' north of SE corner, East well 700' north and~~
~~40' west all from SE corner, Section 27, T114N, R78W~~
_____ 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 1.78 cu. ft. per second of water.

Date June 16, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

No. 334-3

Publish first publication, on or before January 13, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 17, 1976

Notice is hereby given that Robert E. Duncan
whose post office address is Onida, 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
4.4 cubic feet of water per second of time from ~~the~~ ground water up to 5 wells
Duncan # 1, the point of diversion of which is to be located in the _____

_____ S's _____
_____ of Section 27, Twp. 114N, Range 78W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

Section 27-T114N-R78W

This application No. 334-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 1977, 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: Robert E. Duncan, Box 613, Onida, S. D. 57564

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Sully) ss.

I, Alice Olson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Onida Watchman

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 Onida

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

December 23, 1976

December 30, 1976

Alice Olson
(Signature)

Publisher
(Title)

Jan. 3, 1977
(Date Signed)

NOTICE
INTENT TO APPROPRIATE WATER

Notice is hereby given that
Robert E. Duncan whose post of-
fice address is Onida, South Dak-
ota, has made an application in
accordance with the provisions of
the water laws of South Dakota for
a permit to appropriate for bene-
ficial use 4.4 cubic feet of water
per second of time from ground
water up to 5 wells through the
Duncan #1, the point of diversion
of which is to be located in the
S¹ of Section 27, Twp. 114N,
Range 78W, Said water to be used
for the purpose of providing irriga-
tion on the portions of the follow-
ing land:

Section 27-T114N-R78W

This application No. 3349-3
will be considered by the Water
Rights Commission at their office
at Pierre upon the 26th day of
January, 1977, at 10:00 A.M.
All interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
PIERRE, S.D.



Conrad Lick

1-24-78

Water Right Commission
Denver, S. D.

Dear Sir,

I am writing this in
protest, that I cannot
No. 5. Have two well
prepared next to the
quarter that I want to
irrigate.

With this area not
being Aqua tested. They
do not know if there is
enough water there.

My quarter is NE 1/4 34-114-78

Sylv F. Hunsley.

I have no objection of him
irrigating, But don't believe they
have to be across the fence from
the quarter I want to irrigate
S. F. H.

33492 Rober' E. Deane

3-5-81

Southwell Pump

20 HP Submersible pump

Booster Pump N.E. of Southwell

Model 5K324 3. 14 1/2, 30 HP

3350 HP

Southwell dyke 59' Static 34ft

Pumping 500 gpm capacity 700 gpm

On-site pump Electrical 132 AC

Model 2-6 E5, R. 4 ATTCH 580

Length 12 ft. pumping 700 gpm

now 4 ft. 800 gpm at the site

East side of dyke 20 HP Submersible

Wellbore 61 ft Static 27 ft

Pumping 700 gpm capacity 350 gpm

Permit No. 3344-3Water Division 3 Missouri River Water DistrictREPORT 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 Robert E. Duicall of Box 613, Onida, S. Dak. 57564 holder of Permit No. 3344-3, bearing date of priority of November 12, 1976 authorizing the diversion of 4.40 cu. ft. per second of the waters of 5 Wells for Irrigation purposes, in Sully 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:

South well - Franklin 20 HP submersible - Pumping 500 gpm
 East well - Franklin 20 HP submersible - Pumping 300 gpm
 Booster Pump at South well - Motor GE Model 5K324 J L 14 -
 50 HP - 3300 RPM - Pump -

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

2700' 8" PVC pipe

C. Works used to apply water to beneficial use.

Electroqator Center Pivot, Model 2-GE5, Ser #4 TIC4384
 length 1254'

The system is in the following condition: Good.

The point of diversion is located South well 1320' W and 25' N of SE cor. East well
700' N and 40' W all from SE cor. SEC. 27 T114N R78W

The works are capable of diverting and conveying to the place of use 1.78
 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. 27, T114N R78W
NW 1/4 SE 1/4 - 33 Ac., NE 1/4 SE 1/4 - 33 Ac. SW 1/4 SE 1/4 - 33 Ac.
SE 1/4 SE 1/4 - 33 Ac.

comprising a total of 132. acres of land.

Well data:

South well

East well

Depth 56'

60'

Static 34'

23'

Pumping 500 gpm

300 gpm

Capacity 700 gpm

350 gpm

Date March 18, 1981

LeRoy J. McLaughlin
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8261

RECEIVED OF Robert E. Duncan, Box 613, Onida, SD 57564 PIERRE, June 15, 19 81
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. 3349-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 3349-3		
Fee for Issuing Location Certificate-Dry Draw. No.		
Fee for filling		
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 / (dv)

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

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

January 29, 1988

ROBERT E DUNCAN
RR #2 BOX 611
ONIDA, SD 57564

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). (3349-3). The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 3349-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

John Hatch

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

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

South Dakota
Department of
Water & Natural Resources

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

February 16, 1988

3349-3

Robert E Duncan
RR 2, Box 611
Onida SD 57564

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 3349-3 and the hearing date before the Water Management Board.

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

Very truly yours,



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



3349-3

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

January 29, 1993

NOTICE

TO: ROBERT E DUNCAN
RR #2 BOX 611
ONIDA SD 57564

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3349-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3349-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to: 3349-3

Article Number P906560061

ROBERT E DUNCAN
RR #2 BOX 611
ONIDA SD 57564

4b. Service Type

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

7. Date of Delivery

5. Signature (Addressee)

Robert E Duncan

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



3349-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 22, 1993

3349-3

Robert E Duncan
HCR 2 Box 64
Onida, SD 57564

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 3349-3. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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



3349-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

ROBERT E DUNCAN
HCR 2 BOX 611
ONIDA SD 57564 9210

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 3349-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 3349-3 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 is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

3. Article Addressed to:

ROBERT E DUNCAN
HCR 2 BOX 611
ONIDA, SD 57564 9210

5. Signature (Addressee)

6. Signature (Agent)

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 837 692 691

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-8-95

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

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



3349-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 1995

3349-3

Robert E Duncan
18797 297th Avenue
Onida, SD 57564-9210

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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

Is your RETURN ADDRESS completed on the reverse side?

SEND

Fold at line over top of envelope to address the right of the return address

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

3. Article Addressed to:

ROBERT E DUNCAN, JR
18707 297th AVENUE
CHIDA SD 57564 9210

3349-3

4a. Article Number

P 378 081 337

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

2-7-97

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

5. Received By: (Print Name)

Jessica Duncan

6. Signature: (Addressee or Agent)

X

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



February 4, 1997

NOTICE

3349-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: ROBERT E DUNCAN, JR, 18797 297th AVENUE, ONIDA, SD 57564 9210

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3349-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 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 2:30 pm, March 5, 1997, 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) 3349-3 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, 1997, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

3349-3

Robert E Duncan, Jr
18797 297th Ave
Onida, SD 57564-9210

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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



3349-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: ROBERT E DUNCAN, JR, 18797 297th AVENUE, ONIDA, SD 57564 9210

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 3349-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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, February 25, 1998, 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) 3349-3 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 20, 1998, 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.

ed 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: 3349-3

ROBERT E DUNCAN, JR
18797 297th AVENUE
ONIDA SD 57564 9210

4a. Article Number

2179157191

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X 

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

Is your RETURN?

PS Form 3811, December 1994

102595-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

3349-3

Robert E Duncan, Jr
18797 297th Ave
Onida, SD 57564-9210

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire form. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 3349-3

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



3349-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: ROBERT E DUNCAN, JR, 18797 297th AVENUE, ONIDA, SD 57564 9210

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 3349-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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 1:30 pm, March 1, 2000, 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) 3349-3 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, 2000, 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.

3349-3

SENDER COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____	
		B. Date of Delivery <u>1-22-00</u>	
		C. Signature <u>(X) Robert E. Duncan</u> ☐ Agent	
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: <u>NO</u>	
1. Article Addressed to: ROBERT E DUNCAN, JR 18797 297th AVENUE ONIDA SD 57564 9210			
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label) <u>2227 670 327</u>			



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2000

3349-3

Robert E Duncan, Jr.
18797 297th Ave
Onida, SD 57564-9210

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 3349-3.

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



3349-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: ROBERT E DUNCAN, JR, 18797 297th AVENUE, ONIDA, SD 57564 9210

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 3349-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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) 3349-3 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 8, 2002, 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.

3349-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROBERT E DUNCAN, JR
18797 297th AVENUE
ONIDA SD 57564 9210

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

ROBERT DUNCAN 1/17/02

C. Signature

X *Robert Duncan*☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article

7001 2510 0004 4797 5347

PS Form 3811, July 1999

Domestic Return Receipt

102595-99 M-1789



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 2002

3349-3

Robert E Duncan, Jr
18797 297th Ave
Onida SD 57564-9210

Dear Mr. Duncan:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 3349-3.

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



3349-3
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: ROBERT E DUNCAN, JR, 18797 297th AVENUE, ONIDA, SD 57564 9210

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(s) 3349-3. 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) 3349-3 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.



3349-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5737

Your item was delivered at 8:10 a.m. on January 18, 2003 in ONIDA, SD 57564. The item was signed for by R DUNCAN.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)


POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

U.S. Postal Service Signature Confirmation Receipt	
SIGNATURE CONFIRMATION NUMBER: 2301 0370 0000 7540 5737	ROBERT E DUNCAN, JR 18797 297th AVENUE ONIDA SD 57564 9210
	Postmark Here
POSTAL CUSTOMER: Keep this receipt. For inquiries: Access internet web site at www.usps.com or call 1-800-222-1811	
CRB (CRB - POSTAL USE ONLY) ☐ Priority Mail ☐ Package Services (See Reverse)	
PS Form 153, February 2001	



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2003

3349-3

Robert E Duncan
18797 297th Ave
Onida SD 57564-9210

Dear Mr. Duncan:

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. 3349-3.

I completed a questionnaire for you based on our February 7th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

RECEIVED

MAR 31 2004

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3349-3

Date: 3-30-2004

I/We request that Water Right No. 3349-3

formerly owned by: Robert E Duncan Jr

be transferred to: (name & address) Gail V. Miller, 907 North Madison Avenue,
Pierre, South Dakota 57501

Telephone No. 605-224-2723

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

132 acres - SE ¼ Section 27, T114N, R78W

I/We understand that the validity of Water Right No. 3349-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Gail V. Miller, the new owner, certify that the above information is true and correct.

Gail V. Miller
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date ~~22~~ March 31, 2004

RECEIVED OF Gail Miller, 907 N Madison, Pierre SD 57501

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	2	50
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>3349-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001222

By

David Erbe

Chief Engineer

(Signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 31, 2004

3349-3

Gail V Miller
907 N Madison Ave
Pierre SD 57501

Dear Mr. Miller:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee for Water Right No. 3349-3. The transfer has been completed. The water right formerly listed in the name of Robert E Duncan Jr is now listed in your name.

We have two other water rights on file for you listed under the name of Mooney Ranch. Irrigation questionnaires are mailed to you in October each year for reporting the amount of water used during the season. An irrigation questionnaire will also be required for Water Right No. 3349-3. You will receive questionnaires for all three water rights next fall.

Enclosed is your Receipt No. 001262 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

Water Rights Program - File Documentation

NAME: Gail Miller

ADDRESS: Pierre

DATE: 10-12-04 **COUNTY:** Sully **TELEPHONE:** 224-2723

RE: well completion reports

COMMENTS:

Gail Miller indicated that these two reports were for replacement wells for the two wells authorized by Water Right No. 3349-3.

I indicated to Mr. Miller that Water Right No. 3349-3 authorized 800 gpm. He stated that the two wells produced a little less than that amount.



Karen Schlaak
Environmental Scientist

SOUTH DAKOTA WATER WELL COMPLETION REPORT

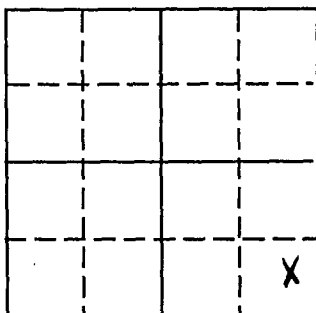
11-02

Location SE 1/4 SE 1/4 Sec 27 Twp 114 Rg 78

County

Sully

North



Please mark well location with an "X"

Well Completion Date

4/30/2004

1 Mile

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	8.00 IN	0.0 FT	55.0 FT	12.25 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Cement	30	Lb/gal	0.0 Ft	20.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 8.00 Inches Length 10.0 FeetMaterial Stainless SteelSlot Size .060 Set From 55.0 Feet to 65.0 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: Gail Miller

Business Name:

Address: 435 Chapelle StCity, State, Zip: Pierre SD 57501

WELL LOG:

DEPTH

FORMATION	FROM	TO
Yellow Clay	0	7
Yellow Gravel	7	13
Sandy Yellow Clay	13	20
Yellow Gravel w/ Rocks	20	40
Gravel	40	65
Blue Clay	65	80

STATIC WATER LEVEL 27.0 FEETIf flowing: closed in pressure PSIGPM flow through Inch pipeControlled by ☐ Valve ☐ Reducers ☐ OtherReduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: 150+ gpm with air
☐ Bailed

☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPMFt. After Hrs. pumped GPMIf 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:

RECEIVED

SEP - 9 2004

Signature of Well Owner or Equitable Property Holder:

WATER RIGHTS PROGRAM

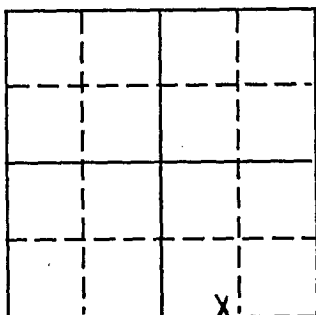
Date: 5/7/04

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27 Twp 114 Rg 78County Sully North

Please mark well location with an "X"



Well Completion Date

5/3/2004

1 Mile

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
	8.00	0.0	48.0	12.25

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0.0 Ft	20.0 Ft
Cement	30			

Describe grouting procedure

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8.00 Inches Length 10.0 FeetMaterial Stainless SteelSlot Size .060 Set From 48.0 Feet to 58.0 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? Pearock

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: Gail Miller

Business Name:

Address: 435 Chapelle StCity, State, Zip: Pierre SD 57501

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	6
Yellow Gravel	6	14
Yellow Clay w/ Sand Streak	14	20
Yellow Gravel	20	40
Gray Gravel	40	58
Blue Clay	58	60

STATIC WATER LEVEL 18.0 FEETIf flowing: closed in pressure PSIGPM flow through Inch pipeControlled by ☐ Valve ☐ Reducers ☐ OtherReduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: 150+ gpm with air☐ Bailed☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPMFt. After Hrs. pumped GPMIf 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:

RECEIVED
SEP - 9 2004
Signature of Well Owner or Equitable Property Holder: **WATER RIGHTS PROGRAM**Date: 5/7/04

9-13-04

NOT TO SCALE

T-388

6
190.2

Robert E. Duncan Estate
Darlene Duncan

1982 ACI²
SL-9 Trees 2.1 AC

1979 ACP
52.7 Twp 103.8
5.9 A
10 yrs

T-39

T-391

3

53.2

Robert E. Dunn

4
91.8

40

4.3

5

132.1

132.1

7

7.5

1645-10

T-9

— 392

Lee O. + Joe R

3.9.4

7395

132.9

Lyle Hunsley

139.4

4.26³

NOT TO SCALE

115.7
190.2

123-R
(3-59) 152.8

Robert E. Duncan

8.5 out

102.8
1979 ACP
SL 7 Trees
5.4 A
10 yrs

1978 ACP
SL 4 Perm Veg Cover
11.5 acres

✓

27

80.5

1977 ACP
RE-1 Perm Veg Cover
80.5 A.

53.2

1977 ACP
RE-1 Perm Veg Cover
53.2 A

80.5

1975 RECP
RE-5 New layout
30.98

154.4

1977 ACP
RE-1 Perm Veg Cover
154.4 A

NW 1/4 SE 1/4
33 A

Center
Pivot

SW 1/4 SE 1/4
33 A

8" PVC

NE 1/4 SE 1/4

33 A

SE 1/4 SE 1/4
33 A

East
Well

8" PVC

700'

114.78

South
Well

R-47

1320'

ACP
2 Trees
1.4 acres

(3-38)

123-R

Lee O. + Joe R. Goddard

119.0

101.2

Well 25' N of
of Fomyle. Hunsley

31.7

3349-3

E. Duncan

145.7

(3-117)

(3-117)

426

1528

Leo L. Burg
Robert E. Duncan

27

154.4

805

Test Hole
Locations

OK
Hatched Wood
co 2nd agent
H

114.28

APPEN N-22553 APPEN N-
3349-3



3349-3

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: GAIL V MILLER, 907 N MADISON AVE, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 3349-3 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) 6502-3 qualification:

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

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. 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) 6502-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3349-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 24, 2006, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 2006

Gail V Miller
907 N Madison Ave
Pierre SD 57501

RE: Water Right Nos. 310A-1, 311A-1, 3349-3 and Water Permit No. 6502-3

Dear Mr. Miller:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 310A-1, 311A-1, 3349-3 and Water Permit No. 6502-3.

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



3349-3
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 23, 2009

NOTICE

TO: GAIL V MILLER, 907 N MADISON AVE, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 3349-3 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) 6502-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 6502-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3349-3 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 questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, 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/E0455V7-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.

3349-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 6272**
Status: **Delivered**

Your item was delivered at 1:25 PM on January 24, 2009 in PIERRE, SD 57501. The item was signed for by D MILLER.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 6272

GAIL V MILLER
907 N MADISON AVE
PIERRE SD 57501

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

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

(See Reverse)

PS Form 153, May 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2009

3349-3
6502-3

Gail V Miller
907 N Madison Ave
Pierre SD 57501

Dear Mr. Miller:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3349-3 and Water Permit No. 6502-3.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: GAIL V MILLER, 907 N MADISON AVE, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 3349-3 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) 6502-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** 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) 6502-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3349-3 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 questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, 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 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.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.state.sd.us/denr

March 1, 2010

3349-3
6502-3

Gail V Miller
907 N Madison Ave
Pierre SD 57501

Dear Mr. Miller:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 3349-3 and Water Permit No. 6502-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2014

NOTICE

TO: GAIL V MILLER, 907 N MADISON AVE, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 1306-2 & 3349-3 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) 6502-3 qualification:

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

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. 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) 6502-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1306-2 & 3349-3 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 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



3349-3

March 7, 2014

NOTICE

TO: Gail V Miller, 907 N Madison Ave., Pierre SD 57501
FROM: Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: One Year Suspension of Water Permit No. 6502-3; and
Amendment of Water Right Nos. 1306-2 and 3349-3

On March 6, 2014, the Water Management Board ordered:

- **Water Right Nos. 1306-2 and 3349-3 are amended to add the following qualification:**
"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your water rights is effective March 6, 2014 and means failure to submit the required irrigation questionnaire in the future could result in suspension of the water rights with no use of water for up to one year for the first violation.

- **Effective April 6, 2014, Water Permit No. 6502-3, be suspended for the 2014 irrigation season for failure to submit the 2013 irrigation questionnaire. If the 2013 irrigation questionnaire is received prior to April 6, 2014 the suspension will not take effect.**

Suspension of Water Permit No. 6502-3 means water may not be pumped during the 2014 irrigation season. Consistent with the Board's order, you are not permitted to irrigate under No. 6502-3 in 2014 unless the irrigation questionnaire is submitted by April 6th.

After April 6th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2013 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 7-8, 2014 in Pierre, SD. The letter should include your reasons for not completing the 2013 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Carl Mathews, dba Miller Mathews Partnership, 25620 Capa Rd, Midland SD 57552

DATE: March 18, 2014

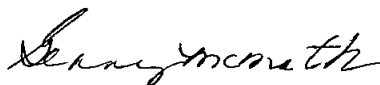
TELEPHONE: 605 843-2285

RE: Water Right or Permit Nos. 310A-1, 311A-1 (Mooney Ranch); 1306-2, 3349-3 & 6502-3 (Gail Miller)

The 2013 irrigation questionnaires were hand delivered to the office on March 17, 2014. A notation was placed on all of them that indicated they should be changed to Miller Mathews Partnership.

I contacted Carl Mathews concerning ownership of the land and he indicated that part of the land was now under the partnership and the rest he farmed for Gail Miller. He requested that for the time being, just list them all in care of the partnership as "manager" and leave ownership of everything the same as it is. Listing the partnership as manager would allow the annual irrigation questionnaires to be sent directly to Mr. Mathews in Midland. He said he was the one responsible for completing them anyway.

He indicated he had not received anything from Mr. Miller for 2013 until a week after the Board meeting. I explained that since the forms were received prior to April 7th, no violations occurred and the suspensions did not take effect.



Genny McMath
Water Rights Program



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



March 19, 2014

Carl Mathews
Miller Mathews Partnership
25620 Capa Rd
Midland SD 57552

RE: Water Right Nos. 310A-1, 311A-1, 1306-2, 3349-3 and 6502-3

Dear Mr. Mathews:

On March 6th, the Water Management Board ordered a one year suspension of Water Right Nos. 310A-1, 311A-1 and Water Permit No. 6502-3 if the 2013 irrigation questionnaires were not received prior to April 6, 2014. The irrigation questionnaires were hand delivered to our office March 17th.

The irrigation questionnaires are now on file, no violations have occurred and no suspensions will take place. You are hereby authorized to irrigate in 2014.

Questionnaires were also received for Water Right Nos. 1306-2 and 3349-3. The Board took action on March 6th to amend these two water rights to include the mandatory irrigation questionnaire qualification. The action to amend the water rights was effective the day of the hearing. The addition of the qualification means that future violations could result in suspension of the water rights.

As referenced on the irrigation questionnaires, future forms will be directed to "Miller Mathews Partnership" as manager. If you have any questions, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

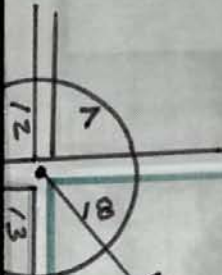

Eric Gronlund, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

M. R. Farrar Irrigation System #1
M. R. Farrar, Hurley, S. Dak. - Owner
Gordon Farrar, Hurley, S. Dak. - Operator

1
2
3

MAP NO. 2078-3 APPL NO. 3394-3

T. 53 W.



58.7

12.5 Rods - 40° E.

PROPOSED IRRIG.
WELL NO. 1

75.5

127.6

4.5

4-14

R. 97 N.

18

67.2

76.0

150.4

- : AREA TO BE IRRIG. :

The NW $\frac{1}{4}$ 18-97-53 - 160 ac. more or less.

OFFICIAL

97.53

143.4

103.1

43.0

4-14



3349-3
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 25, 2019

NOTICE

TO: MILLER MATHEWS PARTNERSHIP, MGR, CARL MATHEWS, 25620 CAPA RD,
MIDLAND, SD 57552

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) 310A-1, 311A-1, 1306-2, 3349-3 & 6502-3. 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) 310A-1, 311A-1, 1306-2, 3349-3 & 6502-3 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) 310A-1, 311A-1, 1306-2, 3349-3 & 6502-3 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2019

Carl Mathews
Miller Mathews Partnership, Mgr
25620 Capa Rd
Midland SD 57552

RE: Water Right Nos. 310A-1, 311A-1, 1306-2, 3349-3 & 6502-3

Dear Mr. Mathews:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 310A-1, 311A-1, 1306-2, 3349-3 & 6502-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

All of the above listed water rights are listed in either Mooney Ranch or Gail Miller. Something to keep in mind, at some point in time when the estate is settled, the water rights will need to be transferred to reflect current ownership.

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

RECEIVED

Ck# 11780

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

DEC 14 2020

WATER RIGHTS
PROGRAM

Water Right/Permit No. 3349-3

Date: November 16, 2020

I/We request that Water Right/Permit No. 3349-3 formerly owned by:

Gail Miller be transferred to:

New Owner Name: Joe R. Goddard and Leo O. Goddard

Address: 18946 296th Avenue

City, State, Zip Onida SD 57564 Telephone No. 605-264-5554

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

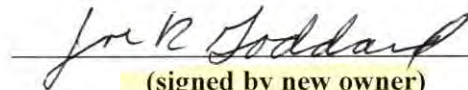
Township 114 North- Range 78 West, Sully County, South Dakota:
Section 27 - SE1/4, SW1/4

☒ I understand that the validity of Water Right/Permit No. 3349-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Joe R. Goddard, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date December 14, 2020RECEIVED OF Leo/Joe Goddard 18946 296th Avenue Onida SD 57564

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>3349-3</u>	\$50.00
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	\$50.00

By Eric Gronlund
Chief EngineerUme



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 15, 2020

3349-3

Joe R & Leo O Goddard
18946 296th Ave
Onida SD 57564

Dear Sirs:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 3349-3.

The ownership change has been completed. Water Right No. 3349-3 formerly held by Gail Miller is now listed in your names.

Each year, irrigation questionnaires are mailed to irrigators in South Dakota for reporting water use. As we discussed on the phone, I will work with the Carl Mathews to gather information for calendar year 2020. I am enclosing a copy of a past questionnaire to give you an idea of what type of information to keep track of over the irrigation season. The questionnaires are always mailed in October each year and are due back by the first week in December.

Enclosed for your records is a receipt for the filing fee you paid. If you have any questions about the water right, please give me a call.

Sincerely,

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

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

November 7, 2024

3349-3

Joe & Leo Goddard
18946 296th Ave
Onida SD 57564

Dear Mr. Goddard:

I write to you today in response to the 2024 Irrigation Questionnaire information submitted for Water Right No. 3349-3.

Water Right No. 3349-3 (copy enclosed) authorized diversion of 1.78 cubic feet of water per second (800 gpm) from two wells completed into the Cow Creek Aquifer for irrigation of 132 acres located within the SE ¼ Section 27, T114N, R78W.

On this year's questionnaire you reported the irrigation of 156 acres. If an additional 24 acres have been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2024 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

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

enclosure