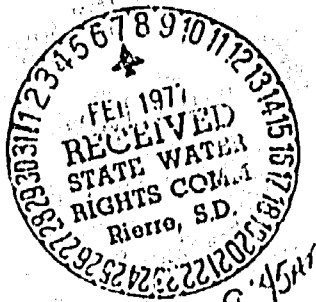


Water Right Number 3628-3

1. Considered 3-23, 19 77
2. Name of Applicant JOE KRONHIEL
3. Post Office Address GAYVILLE
4. Amount of Water claimed 1.85
5. Source of Water supply 95' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 130
7. Water to be diverted and used in CLAY County
about 2 1/2 N, 11 W miles of VERMILLION
8. Proof of Publication
Received 3-18-77
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application
10. Remarks:

Map No. 2905-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Joseph Kronaizl
Postoffice address Gayville, State South Dakota
If a corporation show date and place of incorporation NA
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work NA
4. Amount of water claimed (cubic feet per second) 1.9 CFS
5. Source of water supply ground
6. Location of point of diversion well 112 rods & 47 degrees SW of NE corner of Sec 6-92-53

County Clay

7. Annual period or periods during which water is to be used May-Oct.
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 130

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.
NE 1/4 NE 1/4 6-92-53	35		
SW 1/4 NE 1/4 6-92-53	40		
SE 1/4 NE 1/4 6-92-53	34		
18 acres in SW part of NE 1/4 SE 1/4	10		

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 4 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Plain Talk
12. Principal Features of the Proposed Water Supply System.

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

well

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

well at center of pivot

C. Works proposed to apply water to beneficial use.

center pivot systemEstimated Total Cost \$ 45,000-50,000

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

STATE OF SOUTH DAKOTA

County of Clay

I, Joseph Kronaizl 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 Joseph KronaizlSubscribed and sworn to before me this 14 day of January 19 77

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3628-3

JOE KRONAIZL
(Applicant)

GAYVILLE
(Post Office Address)

SOUTH DAKOTA 57031 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.

Date of first receipt of application FEBRUARY 7 19 77
Date of return to applicant for correction, amendments or changes required 19
Date of receipt of corrected application FEBRUARY 9 19 77
Approved MARCH 23 19 77 Recorded in Book 18 Page 7

WATER RIGHT PERMIT NO. 3628-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3628-3 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 or conditions:

1. The date from which applicant may claim right is FEBRUARY 7 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 29 19 79
3. The whole of said work is to be completed on or before MARCH 23 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 86
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 1.9 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 MARCH 23 19 86; said water to be used during the following described annual period: MAY-OCTOBER

Witness my hand this 19TH APRIL 19 77

WATER RIGHTS COMMISSION

By:

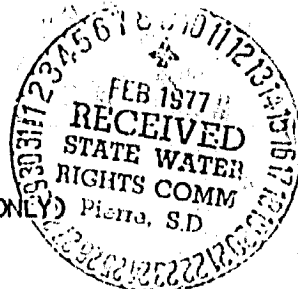
John Smith
Chief Engineer, Executive Officer

Certificate of Construction Issued June 23 19 80

Water License Issued June 23 19 80

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 Joseph Kronaizl

ADDRESS Gayville, South Dakota

COUNTY Clay

LEGAL DESCRIPTION

1. WELL LOCATION 112 rods 2 1/4 degrees SW of NE corner of Sec 6-92-53
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 6-92-53

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-118
6. SALINITY (EC X 10⁶) 1426 (high)
7. SODIUM (SAR) 1.12 (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 Clay County Soil 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.

Joseph Kronaizl
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
7th DAY OF Jan 19 77

Philip A. Peterson
(TITLE OR SEAL)

Albert J. Hoff
APPROVED/DE PROVED

(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: Joseph Kronalzi
 Address: Gayville, SD 57031

Date Rec'd: January 21, 1977
 Sample No. 77-118
 Identification Well
NE1, Sec. 6, T 92N, R 53W

WATER ANALYSIS

Calcium (Ca)	214	ppm*	10.70	me/l**
Magnesium (Mg)	61	ppm	5.00	me/l
Sodium (Na)	72	ppm	3.13	me/l
Potassium (K)	13	ppm	0.34	me/l
Sulfate (SO ₄)	390	ppm	8.11	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	19	ppm	0.53	me/l
Bicarbonate (HCO ₃)	588	ppm	9.64	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	482	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1426	micromhos per cm at 25° C.		
Electrical Conductivity	1.12			
Sodium Adsorption Ratio	16.32	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.93			
pH				
Others:				

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

COMMENTS: Total cations 18.17 me/l
 Total anions 18.28 me/l

By: Shirley Kitten

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-118

Amount Enclosed \$.....

Signed.....

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

12 Principal Features of the Proposed Water Development

D Well Information or Estimates

- (1) Drill Hole Diameter 36 in., Depth 95 ft.
(2) Casing, Type Concrete, Diameter 22 O.D., Thickness 2 in.
(3) Perforated Screen
Type Concrete slotted, Diameter 22 O.D., Length 20 ft.
(4) Gravel Pack Thickness 7 in., Length of gravel pack 95 ft.

E Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F Fill out for Either a Well or a Dugout.

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

Character of water bearing materials 0-2' T soil
2-15' clay
15-80 sand w/clay
80-115 sand & gravel
115 shale

Depth to top of water bearing material 15'

Depth to bottom of water bearing material 115'

Thickness of water bearing material 100'

Depth to water (ground surface to water level) 14'

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

On same owner's property 100 rds. On property owned by others 120 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.

Joseph Kearney
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO 8628-3

(1) WHEREAS, On the 7th day of February A. D. 19 77
Joe Kronaizl

made Water Right Application No. 3622-3 for a permit to use 1.9 cubic feet per second of the waters
of groundwater (one well)

County of Clay, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 23rd day of March A. D. 19 77

Permit No. 3622-3, with a date of priority of February 7, 1977

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 23rd day of March A. D. 19 82 and for the
application to beneficial use of said water on or before the 23rd 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 1.9 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,

for irrigating a 130 acre circle in the NE4, Section 6, T92N, R53W

(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 Joe Kronaizl

_____ of Gayville

the holder _____ and owner _____ of said permit No. 3628-3 a water right, dating from February 7, 1977

_____ to use of 1.9 cubic feet per second of the waters of groundwater (one well)

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at at a point 35' W of the center of the NE 1/4 Section 6, T92N, R53W

and conducted to and upon a 180 acre circle in the NE 1/4, Section 6, T92N, R53W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3628-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of June A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3628-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

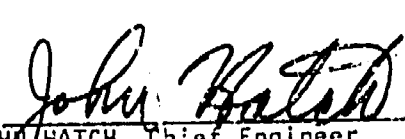
This is to Certify, That Joe Kronaizl

_____ the holder _____ of
Permit No. 3628-3, issued upon Application No. 3628-3, bearing date of priority of _____
February 7, 1977 authorizing the diversion of 1.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Clay, State of South Dakota at _____
a point 35'W of the center of the NE $\frac{1}{4}$, Section 6, T92N, R53W

_____ for irrigation

_____ purposes, has 6 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date June 23, 1980


JOHN HATCH, Chief Engineer
Water Rights, WND

Publish first publication, on or before March 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 1977

Notice is hereby given that Joe Kronaizl
whose post office address is Gayville, 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
1.85 cubic feet of water per second of time from the ground water through the
Joe Kronaizl # 1, the point of diversion of which is to be located in the

Center of NE $\frac{1}{4}$

of Section 6, Twp. 52N, Range 53W. Said water to be used for the purpose
of providing irrigation on the following described land:

NE $\frac{1}{4}$, Section 6, T92N, R53W

This application No. 3628-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23rd day of March, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

~~XXXXXXXXXXXX~~ JAMES WINTERTON
Water Rights Specialist

BFJ/bw
cc: Joe Kronaizl, Gayville, SD 57031

Affidavit of Publication

State of South Dakota, County of Clay, ss.

Harlene Bottelgren

Being first duly sworn, deposes and says: That he is a resident of the County of Clay and State of South Dakota; that

THE VERMILLION PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Plain Talk Publishers, Inc., MaryEtta Brose, president, and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit; and that the notice and advertisement headed:

Intent to
Appropriate Water

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as

aforsaid was on Thursday, the 10 day of March 1977
and that the succeeding publications were severally

on Thursday, the 17 day of March 1977

on Thursday, the _____ day of _____, 19____

on Thursday, the _____ day of _____, 19____

on Thursday, the _____ day of _____, 19____

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforsaid were

Nine dollars and 05 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached an annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever

Harlene Bottelgren

Subscribed and sworn to before me this 17

day of March 1977

MaryEtta Brose
Notary Public

Notice - Intent To Appropriate Water

Notice is hereby given that Joe Kronaizl whose post office address is Gayville, 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 1.85 cubic feet of water per second of time from ground water through the Joe Kronaizl No. 1, the point of diversion of which is to be located in the Center of NE1/4 of Section 6, Twp. 92N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE1/4, Section 6, T92N, R53W.

This application No. 3626-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23rd day of March, 1977, at 10 a.m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
By James Winterton
Water Rights Specialist
Pub. March 10, 17, 1977



Permit No. 3628-3Water Division 3 VERMILLION 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 JOE
KRONAIZL of GAYVILLE holder
of Permit No. 3628-3, bearing date of priority of FEBRUARY 7, 1977
authorizing the diversion of 1.9 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in CLAY 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:

80' DEEP WELL WITH 16" PLASTIC CASING
FAIRBANKS MORSE 8" PUMP - 3STAGE 12" BOWLS
SERIAL #N3B2B09643Y
POWERED BY 75HP GE ELECTRIC MOTOR

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

35' OF 10" MAINLINE TO CENTER PIVOT

C. Works used to apply water to beneficial use.

LOCKWOOD 10' TOWER CENTER PIVOT WITH #200
END GUN - 1290' LONG

The system is in the following condition: GOOD

The point of diversion is located 35' W OF THE CENTER OF THE NE⁴
SECTION 6, T92N, R53W

The works are capable of diverting and conveying to the place of use 2.0cu. 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:

FOR IRRIGATING A 130 ACRE CIRCLE IN THE NE⁴
SECTION 6, T92N, R53W

comprising a total of 130 acres of land.

1.9

Date MAY 6, 1980

Arthur J. Jure
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

No 4 7522

State of South Dakota

PIERRE, June 6, 1980

RECEIVED OF Joe Kronatzl, RR #1, Box 62, Gayville, SD 57031

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. 3036-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3036-3		
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 (9Y)

 **Department of
Water & Natural Resources**

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

March 31, 1986

Joe Kronalzi
RR 2, Box 62
Gayville, SD 57031

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 3628-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

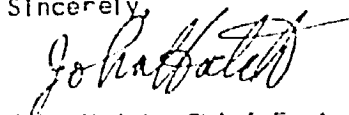
The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 3628-3 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.

Sincerely,



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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

 **Department of
Water & Natural Resources**

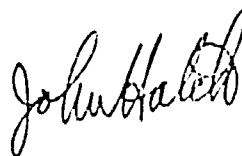
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(S)

To: Joe Kronsizl
PR 2 Box 62
Gayville SD 57031

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



SUBJECT: Amendment to Water Permit No(s). 3628-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 3628-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Attachment to Water Permit No. 3628-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 3628-3 to add the following qualification:

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

March 23, 1987

JOE KRONAIZL
RT 1 BOX 62
GAYVILLE, SD 57031

NOTICE

Re: Violation of Water Permit No(s). 3628-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 3628-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 3628-3 qualification:

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

The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

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

1. Suspend Permit No(s). 3628-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

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



Department of Water & Natural Resources

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

May 14, 1987

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: JOE KRONAIZL
RT 1 BOX 62
GAYVILLE, SD 57031

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

SUBJECT: One Year Suspension of Water Permit No(s). 3628-3 If
The 1986 Irrigation Questionnaire Is Not Received By
June 1, 1987

Pursuant to the provisions of the Notice dated March 23, 1987,
and following the Hearing May 6, 1987, the Water Management Board
ordered:

That Water Permit No(s). 3628-3 be **SUSPENDED** until December 31,
1987 unless the required 1986 Irrigation Water Use Questionnaire
is received by June 1, 1987.

Suspension of a permit means water may not be pumped during the
1987 Irrigation Season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.	
3. Article Addressed to: JOE KRONAIZI RT 1 BOX 62 RAYVILLE, MD 57031	4. Article Number P576-309 790 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X <i>[Signature]</i>	
7. Date of Delivery <i>6-1-87</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

WATER RIGHTS DIVISION
(605) 773-3352

June 1, 1987

Kelvin Kronaizl
RR 1, Box 63
Gayville, South Dakota 57031

Dear Mr. Kronaizl:

Enclosed is the 1986 Irrigation Questionnaire pertaining to Water Right No. 3628-3. Please complete the form with irrigation data from the 1986 season.

Also enclosed is a partially completed "Notice of Transfer" for use in transferring the water right from Joe Kronaizl to you. The transfer form will need to be signed and notarized before returning it to our office. A \$2.50 filing fee is required for filing the transfer.

Please return the completed 1986 Irrigation Questionnaire, "Notice of Transfer" and \$2.50 to our office.

If you have any questions, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

June 18, 1987

Kelvin Kronaizl
RR #1 Box 63
Gayville, SD 57031

Dear Mr. Kronaizl:

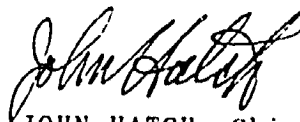
This letter will confirm your June 1, 1987 telephone conversation with Genny McMath of this office concerning the 1986 Irrigation Questionnaire for Water Permit No. 3628-3 listed in the name of Joe Kronaizl. You indicated that Joe had passed away and that you as the owner of the lands had not received the irrigation questionnaire or any of the notices until the last notice was mailed.

Since the irrigation questionnaire and all notices were mailed to Joe Kronaizl rather than to you, this would constitute improper notice. Water Right No. 3628-3 will not be suspended for the 1987 irrigation season.

A "Notice of Transfer" has been forwarded to you for use in filing a change of ownership for Water Permit No. 3628-3. Please return the completed transfer form and \$2.50 filing fee as soon as possible. The 1987 Irrigation Questionnaire will be mailed in either October or November of this year.

If you have any questions, please contact us.

Very truly yours,



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

South Dakota
Department of
Water & Natural Resources

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

September 18, 1987

Second Notice
Water Right No. 3628-3

Kelvin Kronaizl
RR #1 Box 63
Gayville, SD 57031

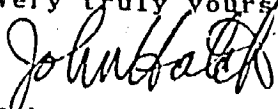
Dear Mr. Kronaizl:

On June 1, 1987 notice was sent to you concerning the transfer of Water Right No. 3628-3 in the name of Joe Kronaizl which covers irrigation of 130 acres in the NE 1/4 Section 6, T92N, R53W. To date, we have not heard from you on this matter.

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

If you have any questions, please contact us.

Very truly yours,



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

enclosure

3628-3

SOUTH DAKOTA
Department of
Water & Natural Resources

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

October 19, 1987

NOTICE

TO: Kelvin Kronaizl
RR #1 Box 63
Gayville, SD 57031

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



SUBJECT: Transfer of Water Right No. 3628-3, Joe Kronaizl

The attached notice was sent certified mail-return receipt requested. The post office has returned the certified mail-return receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you September 22, 1987 and October 1, 1987 to pick up and sign for the certified mail.

If you have any questions, please contact us.

CERTIFICATION

I hereby certify that on October 19, 1987 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Transfer of Water Right No. 3628-3 addressed Kelvin Kronaizl, RR 1, Box 63, Gayville SD.

Genny McMath

Genny McMath
Natural Resources Analyst

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 19th day of October, 1987.



Karen Schlaak
Notary Public



Department of Water & Natural Resources

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

August 19, 1988

Third Notice
Water Right No. 3628-3

Kelvin Kronaizl
RR 1, Box 63
Gayville, SD 57031

Dear Mr. Kronaizl:

On June 1, 1987 and October 19, 1987, notices were sent to you concerning the transfer of Water Right No. 3628-3 in the name of Joe Kronaizl which covers irrigation of 130 acres in NE 1/4 Section 6, T92N, R53W. To date, we have not heard from you on this matter.

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

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water right. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

If you have any questions, please contact us.

Very truly yours,

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

enclosure



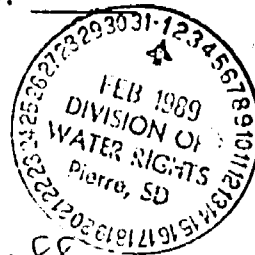
● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: <i>Helvin Kromazle</i> <i>RR 1, Box 63</i> <i>Nashville TN 37031</i> <i>[Signature]</i>	4. Article Number <i>P 321 925 700</i>
5. Signature - Addressee <i>X</i>	Type of Service: ☒ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail
6. Signature - Agent <i>X</i>	Always obtain signature of addressee or agent and DATE DELIVERED .
7. Date of Delivery <i>8-22-88</i>	8. Addressee's Address (ONLY if requested and fee paid)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-19-88

This is to notify you that the title to the lands described as follows:
130 acres, NE $\frac{1}{4}$ Section 6, B92N, R53W

formerly owned by Joe Kronaizl

has been transferred to Kelvin Kronaizl, RR 1, Box 63, Gayville SD 57031

(please include complete mailing address)

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

Water Right Permit No. 3628-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Clay) ss.

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

Keli Kronaizl
(Signed)

Subscribed and sworn to before me this 16 Day of January, 1989.



Marilyn Lyngstad
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411614

Pierre, February 1, 1989, 19__

RECEIVED OF Leslie Kronaizl for (Kelvin Kronaizl) RR1, Box 63, Gayville, SD 57001
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water permit No. 3528-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer



Department of Water & Natural Resources

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

February 16, 1989

Kelvin Kronaizl
RR 1, Box 63
Gayville, SD 57031

Dear Mr. Kronaizl:

Enclosed is Receipt No. 411614 in the amount of \$ 2.50 which is receipted to Leslie Kronaizl for transfer of Water Right No. 3628-3.

Our records now show you as the owner of this Water Right.

Sincerely,

A handwritten signature in cursive script that reads "Marie R. Arthur".

Marie R. Arthur
Water Rights Division
(605) 773-3352



Department of Water & Natural Resources

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

February 8, 1989

KELVIN KRONAIZL
RT 1 BOX 63
GAYVILLE, SD 57031

NOTICE

RE: Violation of Water Permit No(s). 3628-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 3628-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 3628-3 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Suspend Permit No(s). 3628-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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





Department of Water & Natural Resources

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

March 9, 1989

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Kelvin Kronsizl
Rt 1, Box 63
Gayville SD 57031

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

A handwritten signature in dark ink, appearing to read "John Hatch", written over the typed name and title.

SUBJECT: One Year Suspension of Water Permit No(s). 3628-3

Pursuant to the provisions of the notice dated February 8, 1989, and following the hearing of March 1, 1989, the Water Management Board has ordered:

That Water Permit No(s). 3628-3 be SUSPENDED until December 31, 1989.

Suspension of a permit means water may not be pumped during the 1989 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

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

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: Kelvin Kronatz Rt 1, Box 63 Gayville SD 57031	4. Article Number P 576 309 683 Type of Service: ☒ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee ☒ <i>Kelvin Kronatz</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>Kelvin Kronatz</i>	
7. Date of Delivery <i>2-11-89</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: KEVIN KRONATZ RT 1 BOX 63 GAYVILLE, SD 57031	4. Article Number * P 576 309 636 Type of Service: ☒ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee ☒ <i>Kelvin Kronatz</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>Kelvin Kronatz</i>	
7. Date of Delivery <i>2-11-89</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT



Dear Sir:

I am writing in regard to the one year suspension of water permit # 3652-3 (New Kelvin Kromer): I

spoke with someone in your office to find out why this has happened - they said it was because of a questionnaire that was not

returned to you. I am not

aware of ever getting one -

I returned a letter along with a \$2.00 charge for

changing the name over by the deadline requested but I do not recall a questionnaire.

I would like you to please reconsider this suspension and

I will be more than happy to fill out the questionnaire immediately upon receipt.

Thank you for your time - I will be waiting to hear from you -

Thanks Again

New Kelvin Kromer

605-267-4115

131 Box 63, Laywell, SD

57031

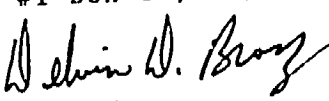
 **Department of
Water & Natural Resources**

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

April 26, 1989

NOTICE

TO: Kelvin Kronaizl, RR #1 Box 63, Gayville, SD 57031

FROM: Delvin D Brosz, PE 
Hydrologist
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Right No. 3628-3

The hearing on your April 24, 1989 request to the Water Management Board to reconsider suspension of Water Right No. 3628-3 has been scheduled for 11:30 am, May 10, 1989, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated February 8, 1989, 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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permit, defer action or taken no action. The hearing is an adversary proceeding and any party 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. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General



CERTIFICATION

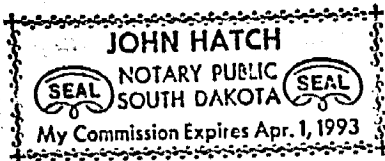
I hereby certify that on April 26, 1989 I have personally deposited with the U.S. Mail a postage prepaid envelope containing a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 3628-3 addressed as follows:

Kelvin Kronaizl, RR 1, Box 63, Gayville SD 57031

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 27th day of April, 1989.



John Hatch
Notary Public

Kelvin Kronaizl
Water Right No. 3628-3

GENERAL

Application submitted by:

Joe Kronaizl
RR #2 Box 62
Gayville, SD 57031

Permit Approved:

March 23, 1977

Permit Licensed:

June 23, 1980

Water Right transferred February 1, 1989 to:

Kelvin Kronaizl
RR #1 Box 63
Gayville, SD 57031

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Questionnaire Returned</u>	<u>Date of Any Board Action</u>
1984	October, 1984	October 29, 1984	none
1985	November, 1985	did not return form	May 14, 1986
1986	November, 1986	did not return form	May 6, 1987
1987	October, 1987	did not return form	
1988	October, 1988	did not return form	March 1, 1989

PAST VIOLATIONS

1. Violation of Requirement to Submit the 1985 Irrigation Questionnaire:

March 31, 1986, Joe Kronaizl was given notice of violation of the requirement to submit the 1985 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 14, 1986.

May 14, 1986, the Water Management Board amended Water Right No. 3628-3 to add the Irrigation Questionnaire Qualification.

May 20, 1986, Joe Kronaizl was notified of the Board action to amend Water Right No. 3628-3.

2. 1986 Irrigation Questionnaire Violation

March 23, 1987, Joe Kronaizl was given notice of permit violation for non-return of the 1986 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 6, 1987.

May 6, 1987, the Water Management Board suspended Water Right No. 3628-3 until December 31, 1987 unless the required 1986 irrigation questionnaire was received by June 1, 1987.

June 1, 1987, Kelvin Kronaizl called the office and stated Joe Kronaizl had passed away. He indicated he was the owner of the land, however, he had not received the 1986 irrigation questionnaire.

June 1, 1987, a 1986 irrigation questionnaire and a partially completed "Notice of Transfer" were forwarded to Kelvin Kronaizl.

June 18, 1987, Kelvin Kronaizl was notified that due to improper notice (the 1986 questionnaire mailed to Joe Kronaizl instead of to Kelvin Kronaizl), Water Right No. 3628-3 would not be suspended for the 1987 irrigation season.

September 18, 1987, a second "Notice of Transfer" form was sent to Kelvin Kronaizl for use in filing an ownership change. The Notice was sent Certified Mail-Return Receipt Requested.

October 19, 1987, the notice mailed on September 18, 1987 was returned by the post office marked "Unclaimed". The notice was returned to Kelvin Kronaizl by first class mail. A "Certification" was prepared by the Division which stated the notice was deposited with the US Mail in a postage prepaid envelope.

August 19, 1988, a third "Notice of Transfer" form was sent to Kelvin Kronaizl for use in filing an ownership change. The Notice was sent Certified Mail-Return Receipt Requested.

3. 1988 Irrigation Questionnaire Violation

The "Notice of Transfer" was not received prior to the mailing of the 1988 irrigation questionnaires, however, the questionnaires for water permits with pending transfers were sent to the new owner.

February 1, 1989, Water Right No. 3628-3 was transferred from Joe Kronaizl to Kelvin Kronaizl.

February 8, 1989, Kelvin Kronaizl was given notice of permit violation for non-return of the 1988 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 1, 1989. This notice was sent by Certified Mail, Return Receipt requested.

March 9, 1989, Mr. Kronaizl was notified of the Board action to suspend his water right.

March 14, 1989, Mrs. Kelvin Kronaizl called the office to inquire why the Board suspended their permit. Submission of the questionnaire and the hearings held by the Water Management Board were explained. She was advised to submit a letter stating their reasons for not returning the questionnaire and also to request time on the May Board meeting agenda.

April 24, 1989, a letter was received from Mrs. Kelvin Kronaizl requesting the Water Management Board reconsider the suspension of the water right. She stated in her letter she was not aware of getting an irrigation questionnaire.

April 26, 1989, Kelvin Kronaizl was sent a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 3628-3.



Department of Water & Natural Resources

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

May 12, 1989

NOTICE

TO: Kelvin Kronaizl, RR #2 Box 62, Gayville, SD 57031

FROM: Delvin D Brosz, P.E. *Delvin D. Brosz*
Hydrologist
for John Hatch
Chief Engineer
Water Rights Division

SUBJECT: Reinstatement of Suspended Water Right No. 3628-3

The Water Management Board, following the May 10, 1989, hearing passed the following motion:

"That Water Right No. 3628-3, be reinstated effective upon receipt of the 1988 irrigation questionnaire."

Your irrigation questionnaire was received in the afternoon mail on May 10, 1989. The Board's action to reinstate Water Right No. 3628-3 is now effective.

In the past, the Board has advised permit holders that "failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement".

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



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put return address in the "RETURN TO" space on the reverse side. Follow to the left with return card from being returned to you. The return card is not valid for use on other mail. The return card is not valid for use on other mail. The return card is not valid for use on other mail.

1. ☒ Return to return address, date, and address of return.	2. ☐ Return to return address, date, and address of return.
3. Address of return to: <i>Robert Kromayer</i> <i>RR 5, Box 6A</i> <i>Wayville SD 57031</i>	4. Address of return to: <i>RR 5, Box 6A</i> <i>Wayville SD 57031</i>
5. Signature - Addressee ☒	6. Signature - Agent ☒
7. Date of Delivery <i>5-15-89</i>	8. Address of return to: <i>RR 5, Box 6A</i> <i>Wayville SD 57031</i>

3628-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-2181

KELVIN KRONAIZL
RR 1 BOX 63
GAYVILLE SD 57031

NOTICE

RE: Violation of Water Permit No(s) 3628-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 3628-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3628-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3628-3 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.

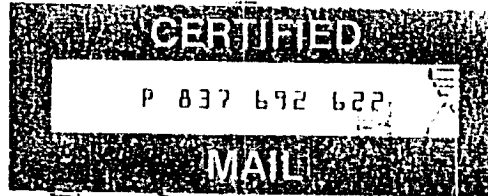
If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

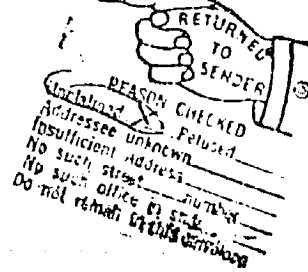
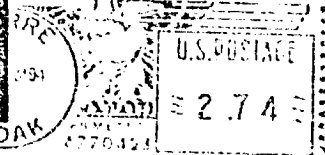
Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



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



3628-3



17-94
24-94
22-3.3-94

3628-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

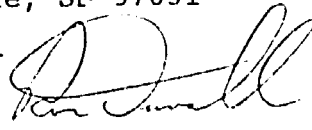
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 7, 1994

3628-3

NOTICE

TO: Kelvin Kronaizl, RR #1 Box 63, Gayville, SD 57031

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

SUBJECT: Unclaimed Certified Mail - Irrigation Questionnaire
Violation

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you February 17, February 24, and March 3, 1994 to pick up and sign for the certified mail.

The meeting time and place, specified in the attached notice, has been changed. The hearing has been rescheduled as follows:

April 6, 1994 at 9:30 a.m. in the Conference Room of the
Floyd Matthew Training Center, Joe Foss Building, 523 E
Capitol, Pierre, SD.

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

enclosure

3628-3

CERTIFICATION

I hereby certify that on March 7, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 7, 1994, along with the Notices dated February 16, 1994, regarding Unclaimed Certified Mail, Return Receipt Requested - Irrigation Questionnaire Violation. The Notices dated February 16, 1994, were regarding violation for not submitting the 1993 Irrigation Questionnaire's. These notices were sent out certified, Return Receipt Requested, but were returned by the U.S. Post Office as "Unclaimed." These notices were mailed out to the names and addresses stated below:

Water Permit No. 1797-2: Lyle Hartshorn
RR 3, Box 16
Hermosa, SD 57744

Water Permit No. 686-3: Richard T. Peterson
29B Ranch Oak Place
Sioux Falls, SD 57103

Water Permit No. 3628-3: Kelvin Kronaizl
RR 1, Box 63
Gayville, SD 57031

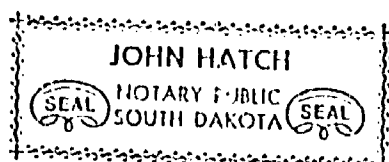
Water Permit No. 5382-3: John & Joe Arthur
RR 1, Box 56
Clark, SD 57225

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

3628-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

March 25, 1994

3628-3

Kelvin Kronaizl
RR #1 Box 63
Gayville, SD 57031

Dear Mr. Kronaizl:

I am writing to acknowledge completion of your 1993 irrigation questionnaire. On March 25th, I spoke with Mrs. Kronaizl concerning the questionnaire. Based on our conversation, I completed a questionnaire for you stating that no irrigation was done in 1993. You may disregard the February 16, 1994, **Notice of Violation of Water Permit No. 3628-3.**

The questionnaire was completed and on file 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



3628-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

KELVIN KRONAIZL
RR 1 BOX 63
GAYVILLE SD 57031

NOTICE

RE: Violation of Water Permit No 3628-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 3628-3. 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 3628-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 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. 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 3628-3 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 is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN
marked 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:

3628-3

KELVIN KRONAIZI.
RR 1 BOX 63
GAYVILLE, SD 57031

4a. Article Number

P757566392

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-9-95

5. Signature (Addressee)

6. Signature (Agent)

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.

3628-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1995

3628-3

Kelvin Kronaizl
RR #1 Box 63
Gayville, SD 57031

Dear Mr. Kronaizl:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. The questionnaire was completed for you following our February 9, 1995, telephone conversation. You may disregard the February 7, 1995, **Notice of Violation of Water Permit No. 3628-3.**

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



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

ADDRESS CORRECTION REQUESTED

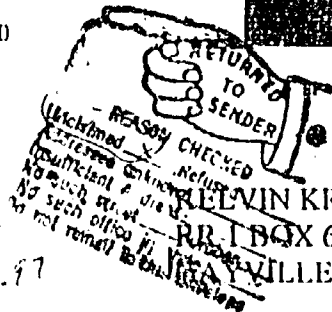
CERTIFIED

P 378 080 543

MAILED

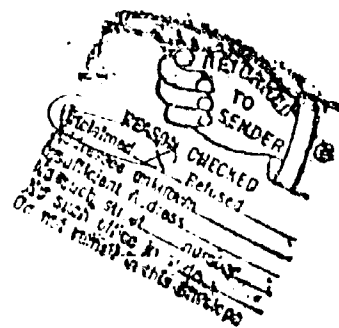
Notified

*2/6
2-12
2-19-97*



3628-3-

ELVIN KRONAIZL
RR-1 BOX 63
DAYVILLE SD 57031



267-4115



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

KELVIN KRONAIZL
RR 1 BOX 63
GAYVILLE SD 57031

4a. Article Number

P378 080 543

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

3628-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: KELVIN KRONAIZL, RR 1 BOX 63, GAYVILLE, SD 57031

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

SUBJECT: Violation of Water Permit No(s). 3628-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3628-3. 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3628-3 qualification:

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

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. 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) 3628-3 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 on/or before February 28, 1997, 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 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 25, 1997

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville, SD 57031

Dear Mr. Kronaizl:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of Water Permit No. 3628-3.

I completed a questionnaire for you based on our February 25th 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 and if you have any questions, please contact me.

Sincerely,

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



January 9, 1998

3628-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031

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(s) has not been submitted for Permit No(s) 3628-3. 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(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) 3628-3 qualification:

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

The hearing will be held at 9:45 am, 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. 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) 3628-3 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 on/or before February 20, 1998, 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 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

3 628-3

KELVIN KRONAIZL
31553 453RD AVE
GAYVILLE SD 57031

4a. Article Number

119 141 244

4b. Service Type

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

7. Date of Delivery

1-10-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *[Signature]*

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

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 20, 1998

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville, SD 57031

Dear Mr. Kronaizl:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 3628-3.

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



3628-3
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: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031
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(s) has not been submitted for Permit No(s) 3628-3. 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(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) 3628-3 qualification:

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

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. 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) 3628-3 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 on/or before February 28, 2000, 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 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.

3628-3

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:

KELVIN KRONAIZL
31553 453RD AVE
GAYVILLE SD 57031

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Leslie Kronaizl B. Date of Delivery 11/15/02
C. Signature [Signature] ☐ Agent ☐ Addressee
D. 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 Number (Copy from service label)

2 227 670 472



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2000

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville, SD 57031

Dear Mr. Kronaizl:

I am writing to acknowledge receipt of the information needed for your 1999 irrigation questionnaire. I completed a questionnaire for you based on our February 17th phone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 3628-3. 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



3628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3628-3. 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(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) 3628-3 qualification:

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

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. 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) 3628-3 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 on/or before February 28, 2003, 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 at (605) 773-3352.

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



Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 3831

Your item was delivered at 12:25 pm on January 18, 2003 in GAYVILLE, SD 57031. The item was signed for by K KRONAIZL.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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Preserving the Trust

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 3831

KELVIN KRONAIZL
31553 453RD AVE
GAYVILLE SD 57031

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
☐ Package Services

PS Form 153, February 2001

(See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2003

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Mr. Kronaizl:

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. 3628-3.

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

93-53 5.8 (5-33)

123.4

(6-82)

240
THIS AREA
HAS BEEN
CLEARED - MAKES
FULL CIRCLE

~~188.0~~
169.1

(6-54)

15.9

(6-1106)

112 rods 42° SW of NE corner
1390' radius
center of pivot
well

8.1 6-131
~~20~~ Harold (6-53)

12.2

6

47.6

(6-56)

156

(6-53)

42.6 (6-52)

76.4

(6-56)

36.1

(6-52)

92-53

LAND USE MAP
Clay County Conservati District
Owner Joseph Howard
County Clay State & private
Approx. scale
Prepared by U.S. Department of Ag.
Soil Conservation Service

MAP NO 2905-3 APPLN 3628-3



3628-3

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 24, 2013

NOTICE

TO: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3628-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(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) 3628-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3628-3 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 on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2013

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Sir:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 3628-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



**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: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3628-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire(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) 3628-3 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) 3628-3 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 on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 2014

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Mr. Kronaizl:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 3628-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3628-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3628-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3628-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

March 1, 2016

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Mr. Kronaizl:

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

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 3628-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3628-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3628-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 3628-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



3628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 9, 2017

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Mr. Kronaizl:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 3628-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



3628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3628-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3628-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3628-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 19, 2018

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Mr. Kronaizl:

On March 7th the Water Management Board ordered Water Right No. 3628-3 suspended if the 2017 irrigation questionnaire was not received prior to April 7, 2018. The questionnaire information for your water right was received on March 16, 2018.

Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. You may irrigate during the 2018 irrigation season.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program



3628-3
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: KELVIN KRONAIZL, 31553 453RD AVE, GAYVILLE, SD 57031
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) 3628-3. 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) 3628-3 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) 3628-3 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

January 30, 2019

3628-3

Kelvin Kronaizl
31553 453rd Ave
Gayville SD 57031

Dear Mr. Kronaizl:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 3628-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DENR
SOUTH DAKOTA

3628-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

August 17, 2020

3628-3

Dave Husby
Marquardt Companies
PO Box 1040
Yankton SD 57078

Dear Mr. Husby:

Thank you for taking the time to visit with me about ownership of land under the Kelvin Kronaizl water right. I have included a copy of the water right for your records.

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 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

3628-3

MARQUARDT COMPANIES
PO BOX 1040
YANKTON, SD 57078
605-664-4900

RECEIVED

SEP 10 2020

WATER RIGHTS
PROGRAM

September 1, 2020

Genny McMath
DENR
Water Rights Program
523 East Capitol
Pierre, SD 57501-3182

Re: Notice of Transfer of Ownership

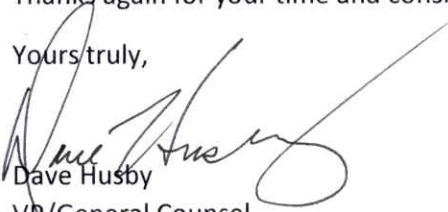
Dear Genny,

Enclosed please find a Notice of Transfer of Ownership form (3628-3) as well as the \$50 filing fee. With the sale of the Kronaizl property to Ralph and Lucille Marquardt, it is my understanding that this is done to transfer the water rights to Ralph for irrigating the property.

I sincerely appreciate the time you spent with me explaining what had to be done to accomplish this task. Please let me know if there is anything else you need from us. When all is filed and approved, will some transfer form be sent to us for our records?

Thanks again for your time and consideration in this matter.

Yours truly,


Dave Husby
VP/General Counsel

Enc.

PAID

SEP 10 2020

Ck# 6324

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

SEP 10 2020

WATER RIGHTS
PROGRAM

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

No. 3628-3Date: 9/8/2020I/We request that Water Right No. 3628-3formerly owned by: Kelvin Kronaizl

be transferred to: (name & address)

Ralph and Lucille Marquardt
1317 Golf View Lane, Yankton, SD 57078Telephone No. 605 660 6970

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

130 acres – NE ¼ Section 6, T92N, R53W

I/We understand that the validity of Water Right No. 3628-3 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 Ralph Marquardt, the new owner, certify that the above information is true and correct.

Ralph Marquardt
(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.

McMath, Genny

To: Dave Husby
Subject: RE: [EXT]

From: Dave Husby <Daveh@marqcompanies.com>
Sent: Thursday, September 17, 2020 8:54 AM
To: McMath, Genny <Genny.McMath@state.sd.us>
Subject: RE: [EXT]

The PO number comes to our office which is the best place for any business correspondence to come. His Golf View Lane address is the house.

From: McMath, Genny <Genny.McMath@state.sd.us>
Sent: Thursday, September 17, 2020 8:49 AM
To: Dave Husby <Daveh@marqcompanies.com>
Subject:

Morning Mr. Husby,

We received the signed check – thank you for following up with that.

I note on the transfer form that the address is different for Marquardt's other water rights. Should I be sending stuff to the Golf View Lake address instead of PO Box 1040?

Genny McMath

Genny McMath
DENR – Water Rights Program
773-3352 (main phone)
773-5455 (desk phone)
Website: <https://denr.sd.gov/des/wr>



DENR
SOUTH DAKOTA

3628-3

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 17, 2020

RECEIVED OF Ralph & Lucille Marquardt PO Box 1040 Yankton SD 57078

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>3628-3</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 Engineer
vm



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 17, 2020

3628-3

Ralph & Lucille Marquardt
PO Box 1040
Yankton SD 57078

Dear Mr. & Mrs. Marquardt:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 3628-3.

The ownership change has been completed. The water right formerly held by Kelvin Kronaizl is now listed under your names.

Enclosed for your records is a receipt for the filing fee that was paid. If you have any questions, 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

July 14, 2021

3628-3

Brian Huth
45584 304th St
Wakonda SD 57073

Dear Mr. Huth:

I am writing in follow-up to our phone conversation concerning Water Right No. 3628-3 (copy enclosed).

Enclosed is a "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.

During our conversation we discussed irrigation of the land and whether the water right had been lost for nonuse. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years to maintain a water right. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed for your review are excerpts of water laws and Water Management Board rules dealing with these issues.

As staff, we do not have the authority to determine if a water right has legal standing. The Water Management Board is the entity tasked with making that determination. All we can do is give you the best information we can and its up to you to decide if you want to bring the matter before the Board for a declaratory ruling or if you feel after reviewing the information the water right has been maintained. I reviewed past irrigation questionnaires from 1998 thru 2020 from our files and put the information in a summary for you (see attached).

If you have any questions, please give me a call.

Sincerely,

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

Enclosures: transfer form, copy of water right, statutes & rules, summary of questionnaires

Water Right No. 3628-3 – Summary of irrigation questionnaires

Year	Irrigated Yes or No	comments
2020	No	Checked the box “sufficient moisture”
2019	No	Kelvin Kronaizl called and indicated he did not irrigate and no longer wants the water right. He also said he does not own the land so contact will need to be made with the new owner.
2018	No	Checked the box “sufficient moisture” and added “plenty of moisture – too much”
2017	No	Checked the box “sufficient moisture”
2016	No	Checked the box “sufficient moisture”
2015	No	Kelvin called – said he planted alfalfa and did not need to irrigate – they received enough rain
2014	No	Checked the box “sufficient moisture” and added it rained about every other day
2013	No	Kelvin wrote “planted new alfalfa and did not need the water
2004 thru 2012	Yes	
2003	No	Kelvin wrote “center pivot in need of repair”
2002	No	Kelvin wrote “center pivot in need of repair”
2001	No	Kelvin wrote “not needed”
2000	No	Kelvin wrote “not needed”
1999	No	Kelvin called and indicated he did not irrigate – did not give a reason
1998	No	He wrote “enough rainfall, did not use system”

Notes:

The years 1998-2003 were periods of nonuse greater than three years, however three of the years he wrote “either not needed or enough rainfall”

Irrigation took place continuously from 2004-2012

The years 2013-2020 were periods of nonuse greater than three years, however notations were made on the irrigation questionnaires indicating irrigation was not needed due to sufficient moisture.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 1, 2021

3628-3

Brian Huth
45584 304th St
Wakonda SD 57073

Dear Mr. Huth:

Back in July, I forwarded a copy of Water Right No. 3628-3 (held by Ralph & Lucille Marquardt) to you along with a transfer of ownership form. To date, we have not heard back from you.

In the event you do not have the form I forwarded to you before, enclosed is an additional "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 you have decided not to maintain the water right or do not own the land, please let me know. It is important to keep ownership records up to date. The annual irrigation questionnaire sent out in about three weeks is time sensitive and needs to be sent to the owner of the land.

Sincerely,

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

Enclosure: transfer form

3628-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date October 18, 2021RECEIVED OF Briah Huth 30417 455th Ave., Wakonda SD 57073

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>3628-3</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
vm

PAID

OCT 18 2021

Ck# 3021

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

OCT 18 2021

WATER RIGHTS
PROGRAMNo. 3628-3Date: 10-10-2021I/We request that Water Right No. 3628-3formerly owned by: Ralph & Lucille Marquardt

be transferred to: (name & address)

Brian Huth 30417 455th Ave.
Wakanda, SD 57073Telephone No. 605-660-6027

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

130 Acres – NE ¼ Section 6, T92N, R53W

I/We understand that the validity of Water Right No. 3628-3 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 Brian Huth, 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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 19, 2021

3628-3

Brian Huth
45584 304th St
Wakonda SD 57073

Dear Mr. Huth:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Right No. 3628-3.

The ownership change has been completed. The water right formerly held by Ralph & Lucille Marquardt is now listed in your name.

Enclosed for your records is a receipt for the filing fee that was paid. If you have any questions, please let me know.

Sincerely,

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

enclosure