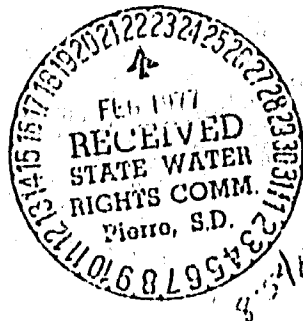


Water Right Number 3665-3

1. Considered 3-23, 19 77
2. Name of Applicant WILLIAM B. DAVIS
3. Post Office Address WAUBAY
4. Amount of Water claimed 9.0
5. Source of Water supply 2-117' & 2-120' WELLS
6. Water to be used for IRRIGATION
Acres to be irrigated 600
7. Water to be diverted and used in DAY County
about 3W, 10S miles 12 of WAUBAY
8. Proof of Publication
Received 12 3-23-77
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

Map No. 2939-3 Water Division No. 3 BIG SIOUX 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 William B. Davis
Postoffice address Waukegan, State South Dakota
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor

3. Name of diversion work William B. Davis Irrigation project #1

4. Amount of water claimed (cubic feet per second) 7.0

5. Source of water supply 4 wells

6. Location of point of diversion Well #1 - 2240' N 135° W of NE corner Sec 14; Well #2 - 1850' N 45° E of SW corner Sec 13; Well #3 - 1860' N 46° W of NE corner Sec 13; Well #4 - 1870' N 130° E of NW corner Sec 24 120-55 County Dakota

7. Annual period or periods during which water is to be used April through October

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation

9. For irrigation use, List below each acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each. Total number of acres to be irrigated 640

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE 1/4 of Sec 14 - 120-55	160		
SW 1/4 of Sec 13 - 120-55	160		
SE 1/4 of Sec 13 - 120-55	160		
NW 1/4 of Sec 24 - 120-55	160		

Attach sheet if more space is needed

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

11. Choice of newspaper for Notice of Intent to Appropriately Water publication Waukegan Clipper

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. 4 irrigation wells with deep well turbines

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

C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost \$ 120,000

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 Dakota

I, William B. Davis 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 William B. Davis

Subscribed and sworn to before me this 3 day of Feb 1977

Notary Public (or other qualified officer)

WILLIAM B. DAVIS

Irrigation Project # 1
Waubay S. Dakota
Day County

NW¹ of NE¹ SEC 14
120-55
39 Acres

NE¹ of NE¹ SEC 14
120-55
38 A

2240
N 135° W

SW¹ of NE¹ SEC 14
120-55
40 Acres

SE¹ of NE¹ SEC 14
120-55
39 Acres

Well #1

Area Irrigated:

NE¹ SEC 14 - 120-55
S² SEC 13 - 120-55
NW¹ SEC 24 - 120-55

NW¹ of SW¹ SEC 13
120-55
39 Acres

NE¹ of SW¹ SEC 13
120-55
40 Acres

NW¹ of SE¹ SEC 13
120-55
40 Acres

NE¹ of SE¹ SEC 13
120-55
39 Acres

N

SW¹ of SW¹ SEC 13
120-55
38 A

SE¹ of SW¹ SEC 13
120-55
39 Acres

SW¹ of SE¹ SEC 13
120-55
38 Acres

SE¹ of SE¹ SEC 13
120-55
38 A

Well #2
1850'
N 45° E

Well #3
1860'
N 46° W

14/13
23/24

NW¹ of NW¹ SEC 24
120-55
38 A

NE¹ of NW¹ SEC 24
120-55
39 Acres

2-7-71
Certified
John L. Weisma

13/18
24/15

1820'
N 134° E

Scale - 1" = 660'

SW¹ of NW¹ SEC 24
120-55
38 Acres

SE¹ of NW¹ SEC 24
120-55
40 Acres

Well #4

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3665-3
WILLIAM B. DAVIS WAUBAY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57273 With the following modifications:
 (State)

The irrigation wells approved under this Permit are located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application FEBRUARY 22, 1977
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application —, 19 —
 Approved MARCH 23, 1977, Recorded in Book 18 Page 34

WATER RIGHT PERMIT NO. 3665-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3665-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 22, 1977
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23, 1979
3. The whole of said work is to be completed on or before MARCH 23, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23, 1985
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 9.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 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, 1985; said water to be used during the following described annual period: APRIL 1ST TO OCTOBER

Witness my hand this 20TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John H. Hatt
 Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

DAY COUNTY

Ward Lemmon
Andover

2739-3

WR CANCELLED

Needs SW for:

E1/2 35-123-59 Land
S1/2 SE1/4 25-123-59

WATER RIGHT CANCELLED NOVEMBER 1982.

Earl Althoff
Waubay

2795-3

Needs SW for:

SE1/4 11-122-53 Land
NW1/4 NW1/4 13-122-53 Well

Correspondence from WR:
CC:

11-82
11-82

11-9-82 Mr. Althoff notified Irrigation Staff that area was not developed. However, Water Rights says he is irrigating.

WILL CONDUCT ON-SITE INVESTIGATION JULY 1984.

William Davis
Waubay

3665-3

Needs SW for:

SE1/4 SW1/4 13; NW1/4 24-120-55

He has SW for SW1/4 13; however well is in different location.

Correspondence from WR:
CC:

1-83, 8-83
1-83

LEFT WI-1 AT FARM 12-83 HOLDING FOR RETURN OF APPLICATION

Michael Koslowski
Waubay

4952-2

AMENDED

Needs SW for:

SW1/4 NE1/4 19-123-54 = 5 acres

AMENDED BY COMMISSION POLICY FOR SMALL ACREAGE



4 wells.

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 18", Depth Well #1 - 117'
Well #2 - 120'
Well #3 - 120'
Well #4 - 117'
 (2) Casing, Type Steel Diameter 14" Thickness 1/4"
 (3) Perforated Screen.
 Type Johnson Irrigator, Diameter 14", Length 20'
 (4) Gravel Pack, Thickness 4", Length of gravel pack 30'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials	Well #1	Well #2	Well #3	Well #4
Well #1	3' cap soil	3' cap soil	3' cap soil	4' cap soil
	9' gravel	17' gravel	17' gravel	15' gravel
	15' gravel	77' blue clay	77' blue clay	79' gravel
	74' clay	20' gravel	53' gravel	19' gravel
Depth to top of water bearing material	Well #1 - 9'	Well #2 - 98'		
Depth to bottom of water bearing material	Well #1 - 117'	Well #2 - 120'		
Thickness of water bearing material	Well #1 - 19'	Well #2 - 23'		
Depth to water (ground surface to water level)	17'			

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

On same owner's property 8 rds. On property owned by others _____ 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.

*

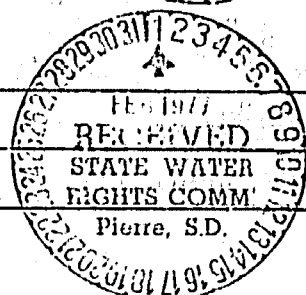
	owner's property	property of others
Well #1	90 rods	180 rods
Well #2	no supply	240 "
Well #3	no supply	100 "
Well #4	no supply	240 "

W. Williams
 Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME WILLIAM B DAVIS
ADDRESS WAUBAY S.D. 57273
COUNTY DAY



LEGAL DESCRIPTION NW 1/4 of

1. WELL LOCATION SW 1/4 of SEC 13-120-55
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 of SEC 13-120-55

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED CORN, ALFALFA & WHEAT, CTS

WATER QUALITY

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 DAY COUNTY 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.

William B Davis
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
28th DAY OF December 19 76.

Jeffery Nelson
(TITLE OR SEAL) JEFFERY NELSON
Notary Public, Day County, S. D.
My Commission Expires Jan. 5, 1977

Alfred J. [Signature]
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS

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

Submitted by: William B. Davis
Address: Rt. 1
Wolsey, SD 57273

Date Rec'd: December 30, 1976
Sample No. 76-2135
Identification Well-100
SW 1/4, Sec. 13, T 120N, R 55W

WATER ANALYSIS

Calcium (Ca)	135	ppm	6.75	me/l**
Magnesium (Mg)	35	ppm	2.87	me/l
Sodium (Na)	12	ppm	0.52	me/l
Potassium (K)	7	ppm	0.18	me/l
Sulfate (SO ₄)	138	ppm	2.93	me/l
Nitrate (as N)	2	ppm	0.04	me/l
Chloride (Cl)	395	ppm	6.48	me/l
Bicarbonate (HCO ₃)		ppm		me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)	324	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	768	micromhos per cm at 25° C.		
Electrical Conductivity	0.24			
Sodium Adsorption Ratio	5.03	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.28			
pH				
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations
Total anions

10.32 me/l
9.40 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$8.00 PAID

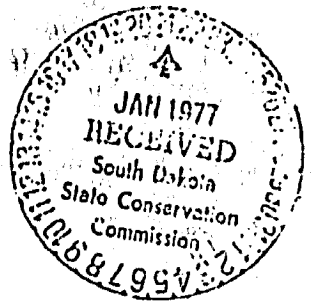
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2135

Amount Enclosed \$

Signed



January 18, 1977

Mr. William B. Davis
Waubay, SD 57273

Dear Mr. Davis:

Your water sample (Lab. No. 76-2135) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

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

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

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

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

P.S. All the depressions and low spots must be strictly avoided or provided with adequate drainage, as you will experience all kinds of grief--crops drowning, salt rise, getting stuck etc. We are making extra copies of the soil map.

No. 3065-3Publish first publication, on or before March 10, 1977NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 3, 1977Notice is hereby given that William B. Daviswhose post office address is Tauley, 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 use25.0 cubic feet of water per second of time from the ground water through the William B. Davis Irrigation Project #1, the point of diversion of which is to be located in the SW 1/4 NE 1/4 of Section 14 and Centers of SW 1/4 of Section 13, SE 1/4 of Section 13, and NW 1/4 of Section 24, Twp. 120N, Range 55W. Said water to be used for the purpose of providing irrigation on the following described land:SE 1/4, Section 14, SW 1/4, Section 13, NW 1/4, Section 24, T120N, R55W

This application No. 3065-3 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:

~~BURTON F. JONES~~ JAMES WINTERTON
Water Rights Specialist

BFJ/bw

cc: William B. Davis, Wapabay, S.D. 57273

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

No. 3665-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Day) ss.

I, A. W. Anderson hereby

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

Water was taken from the Waubay Clipper

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

City of Waubay

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

March 9, 1977

March 16, 1977

Artin W. Anderson
(Signature)

Pub. - Publish.
(Title)

3-18-77
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
March 3, 1977

Notice is hereby given that
William B. Davis whose post
office address is Waubay, South
Dakota, has made an applica-
tion in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
0.0 cubic feet of water per
second of time from ground
water through the William B.
Davis Irrigation Project No. 1,
the points of diversion of which
are to be located in the SW 1/4
NE 1/4 of Section 14 and Cen-
ters of SW 1/4 of Section 13,
SE 1/4 of Section 13, and NW 1/4
of Section 24, Twp. 120N, Range
55W. Said water to be used for
the purpose of providing irri-
gation on portions of the fol-
lowing described land:

NE 1/4 Section 14, S 1/2, Sec-
tion 13, NW 1/4 Section 24,
T120N, R55W.

This application No. 3665-3
will be considered by the Water
Rights Commission at their of-
fice 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

James Winterton,
Water Rights Specialist
(Pub. Mar. 9 & 16, 1977)

Rec'd
3-23-77

No. 3665-3

South Dakota
Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

October 13, 1982

William B. Davis
Waubay, South Dakota 57273

Dear Mr. Davis:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right

No. 3665-3 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/

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

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

SECOND NOTICE
PERMIT NO. 3665-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

December 20, 1982

William B. Davis
Waubay, South Dakota 57273

Dear Mr. Davis:

October 13, 1982 you were notified the required final inspection fee of \$50.00 is due before Water License No. 3665-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirements to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

CD0602ks.wr

Form 3811, Jan. 1973

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.....
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Win. David
Waubay SD 57273

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>P200480196</i>	

(Always obtain signature of addressee or agent)

I have received the article described above
SIGNATURE ☐ Addressee ☐ Authorized agent
William David

4. DATE OF DELIVERY
12-22-82

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



3665-3

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

January 30, 1996

NOTICE**TO:** WILLIAM B DAVIS, RR #2 BOX 32, WAUBAY, SD 57273**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 3665-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3665-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

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 in the front of the mailpiece, or on the back if space does not permit.
 - Write "Return Receipt Requested" on the mailpiece below the article number.
 - The Return Receipt will show to whom the article was delivered and the date delivered.
3. Article Addressed to:

WILLIAM B DAVIS
RR #2 BOX 32
WAUBAY SD 57273

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [Signature]

PS Form 3811, December 1994

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

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

4a. Article Number

2 348318835

4b. Service Type

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

7. Date of Delivery

1-31-96

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

Domestic Return Receipt

Thank you for using Return Receipt Service.

completed on the reverse side

is your

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 1996

3665-3

William B Davis
RR 2 Box 32
Waubay, SD 57273

Dear Mr. Davis:

I am writing to acknowledge receipt of your 1995 irrigation data. You may disregard the January 30, 1996, Notice of "Violation of the Requirement to Submit the 1995 Irrigation Questionnaire."

A questionnaire was completed for you following our 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.

If you have any questions, please contact me.

Sincerely,

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



3665-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: WILLIAM B DAVIS, RR 2 BOX 32, WAUBAY, SD 57273

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 3665-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 3665-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, 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 57501-3182
www.state.sd.us/denr

February 1, 2001

3665-3

William Davis
PO Box 362
Waubay, SD 57273-0362

Dear Mr. Davis:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Permit No. 3665-3.

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

3665-3

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: WILLIAM B DAVIS RR 2 BOX 32 WAUBAY SD 57273	A. Received by (Please Print Clearly) William B Davis B. Date of Delivery 1/23/01 C. Signature <i>William B Davis</i> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:
	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) 7000 0600 0026 9814 3734	

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

Permit No. 3665-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by WILLIAM B. DAVIS of WAUBAY holder of Permit No. 3665-3, bearing date of priority of FEBRUARY 22, 1977 authorizing the diversion of 9.0 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in DAY County.

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

The Water Use System consists of,

WELL NO 1 NOT CONSTRUCTED

A. Works used to divert the water:

WELL #2 110' DEEP WITH 16" SS CASING - 28" SS SCREEN
HYDRO 8" PUMP POWERED BY 100 HP GE ELECTRIC
MOTOR @ 1765 RPM

WELL #3 - 105' DEEP WITH 16" STEEL CASING - 16" SS SCREEN
WESTERN LAND ROLLER 8" PUMP - 4 STAGE - 12" BONDS, POWERED
BY 75 HP GE ELECTRIC MOTOR @ 1765 RPM.

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

WELL #2 - 50' 8" PLASTIC LINE TO PIVOT PAD IN SW⁴ SECTION 13
2640' 8" BURIED PVC BETWEEN PIVOT IN SW⁴ SECTION 13
AND PIVOT PAD IN NW⁴ SECTION 24
WELL #3 - 30' OF 8" STEEL LINE TO PIVOT PAD IN SE⁴ SECTION 13

C. Works used to apply water to beneficial use.

2 - 10 TOWER PIERCE CENTER PIVOT SYSTEMS WITH NELSON #100 END GUNS
ONE PIVOT SYSTEM TOWED BETWEEN SW⁴ SECTION 13 AND
NW⁴ SECTION 24

The system is in the following condition: GOOD

The point of diversion is located WELL #2 - 50' SE OF THE CENTER OF SW⁴; WELL #3 -
30' SW OF THE CENTER OF SE⁴, BOTH IN SECTION 13, T120N, R55W

The works are capable of diverting and conveying to the place of use 1.78 - 800 GPM
1.55 - 700 GPM - 3.33 CFS.

cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T120N, R55W

<u>SECTION 13</u>	<u>SE⁴</u>	<u>132 ACRES</u>
	<u>SW⁴</u>	<u>132 "</u>
<u>SECTION 24</u>	<u>NW⁴</u>	<u>132</u>

comprising a total of 396 acres of land.Date SEPTEMBER 14, 1982

Dustin Jones
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9076

PIERRE, December 23, 1982

RECEIVED OF William Davis, Box 32, Waubay, SD 57273

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. 3665-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3665-3		
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/CIS



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 5, 1983

3665-3

William B Davis
Box 32
Waubay SD 57273

Dear Mr. Davis:

In writing up your water license it has been discovered you do not have soil and water compatibility approval on the lands under your permit No. 3665-3. The original approval was only for the SW $\frac{1}{4}$, Section 13, T120N, R55W from a Well #1 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13. Since Well #2 is not the original well approved and Well #3 is not within the State Conservation Commission's standards, water samples will be required along with the soils maps. For procedures and forms contact the State Conservation Commission, Anderson Building, Pierre SD Phone No. 773-3259.

Upon receipt of the approval from the State Conservation Commission your permit will be in conformance with State Laws and further processing of your Permit No. 3665-3 will proceed. If you have any questions, please feel free to contact this office.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW:ks

cc: Colleen Fry
Conservation Commission



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322



Pierre, South Dakota 57501

Phone 605/773-3258

January 6, 1983

William B Davis
Box 32
Waubay, SD 57273

Dear Mr. Davis:

We have been notified by the Division of Water Rights that you are currently irrigating the SE $\frac{1}{4}$ 13; SW $\frac{1}{4}$ 13; and NW $\frac{1}{4}$ 24-120-55 without soil and water compatibility. You were issued a Soil and Water Compatibility permit in 1977 for the SW $\frac{1}{4}$ 13-120-55 however, your well was located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ 13-120-55.

In order to bring your Water License into compliance with state law it will be necessary for you to complete the enclosed WI#1 form, and forward it to the Water Quality Laboratory in Brookings, SD, along with water samples from both wells which you intend to use for sources of irrigation and the correct soils information. This information will inturn be forwarded to our office for further processing.

If you have any questions please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

cf

cc: Water Rights Division

1/7/83

WATER RIGHTS DIVISION
(605) 773-3352

August 30, 1983

William B. Davis
Box 32
Waubay, South Dakota 57273

Dear Mr. Davis:

This is to remind you that we have not yet received your Soil/Water Compatibility Approval from the State Conservation Commission as was discussed in our letter to you dated January 5, 1983.

Your water use system has been inspected, the fees have been paid and the Water License is ready to be issued upon obtaining the necessary Soil/Water Compatibility approval from the State Conservation Commission.

Enclosed are two partially completed Soil/Water Compatibility permit application forms (WI-1's) and an instruction sheet. Please complete the WI-1 forms and forward them to the Water Quality Lab in Brookings (address on instruction sheet) along with water samples from both wells and correct soil information. The Water Quality Lab will forward the above information to the Division of Conservation for further processing.

Upon approval by the Conservation Commission, your permit will be in compliance with State Law and can then be licensed. If you have any questions or need assistance please advise.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms
Enc.

CC: Conservation Commission



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

Submitted by: William E. Davis Date Rec'd: December 30, 1976
Address: Rt. 1 Sample No: 76-2235
Wolsey, SD 57273 Identification: 441-104
Lab. No. 13, T 120M, R 958

WATER ANALYSIS

Calcium (Ca)	135	ppm	6.75	me/l
Magnesium (Mg)	35	ppm	2.57	me/l
Sodium (Na)	12	ppm	0.53	me/l
Potassium (K)	7	ppm	0.13	me/l
Sulfate (SO ₄)	138	ppm	2.83	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.04	me/l
Aluminum (as Al(OH) ₃)	395	ppm	6.43	me/l
Carbonate (CO ₃)		ppm		me/l
Bicarbonate (HCO ₃)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (as CaCO ₃)		ppm		848.000
Alkalinity (as CaCO ₃)	3.4	ppm (as CaCO ₃)		
Acidity (as CaCO ₃)	0	ppm (as CaCO ₃)		
Electrical Conductivity	768	microhm/cm at 25°C		
Sodium Adsorption Ratio	0.24			
Sodium	5.23	% of cations		
Percent sodium carbonate	0.00	me/l		
pH	7.3			
Others:				
*ppm = parts per million				
**mg/l = milligrams per liter				
***g.p.g. = grains per gallon				

COMMENTS: Total cations 10.32 me/l
Total anions 9.40 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	18.00 PAID

Make checks payable to Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2235

Amount Enclosed \$

Signed

WATER RIGHTS DIVISION
(605) 773-3352

November 26, 1985

NOTICE

William B. Davis
Box 32
Waubay, South Dakota 57273

Dear Mr. Davis:

I am writing to advise that we have not received your soil-water compatibility approval from the State Conservation Commission for Water Permit No. 3665-3. You were notified of this requirement in January and August of 1983 and with no response from you. The approval is needed before your permit can be licensed.

At the time Water Permit No. 3665-3 was considered and approved, due to the large number of applications being processed, complete soil-water approval for all the lands to be irrigated was overlooked. Our office did not discover the lack of soil-water for the well in the SW $\frac{1}{4}$ of Section 13 to irrigate the NW $\frac{1}{4}$ of Section 24 and for a well in the SE $\frac{1}{4}$ of Section 13 to irrigate the SE $\frac{1}{4}$ of Section 13, all in T120N, R55W until the final inspection.

Enclosed are two partially completed soil-water compatibility applications (WI-1), an instruction sheet and a copy of the analysis for the well in the SW $\frac{1}{4}$ of Section 13. Please read over the instruction sheet and complete the applications accordingly. A water sample will need to be obtained for the well in the SE $\frac{1}{4}$ of Section 13. The instruction sheet shows the sampling procedures and gives the address for sending the WI-1, water sample and soils information.

At present, Permit No. 3665-3 is valid only for irrigation of the SW $\frac{1}{4}$ of Section 13 from a well in the same quarter. Without soil-water approval for the remaining well and lands, the water license can not be issued. If the soil-water application is not completed and submitted for processing prior to April 1, 1986, it is my intent to give notice of a hearing before the Water Management Board to consider suspension of your water permit.

If you need any assistance with the soil-water compatibility application, you may contact the Division of Conservation directly, at the Anderson Building, Pierre, SD, 57501, (605) 773-3259).

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:ms
Enc.

WATER RIGHTS DIVISION
(605) 773-3352

March 13, 1986

William B. Davis
Box 32
Waubay, South Dakota 57273

Dear Mr. Davis:

I am responding to your request for an extension of April 1, 1986 deadline for submission of a soil/water compatibility application. You stated that you are unable to obtain a water sample until the REA hooks your system back up sometime in May. Since it will be impossible to have the water sample by April 1, an extension is granted.

You now have until June 1, 1986 to submit the soil/water compatibility application for processing. Thank you for calling on this.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:GN:ms

Conversation or File Documentation

NAME OF PERSON OR FILE: Mr. William B. DavisADDRESS: Box 32, Waubesa COUNTY _____DATE: Nov 6, 1986 TELEPHONE 947-4768RE: soil/water & water sample needed.

COMMENTS:

Tried to call Mr. Davis several times over a 2 month period - finally was able to get in touch with Mrs. Davis.

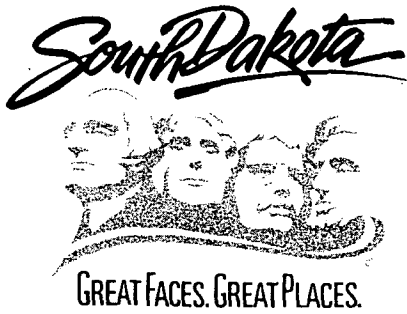
I ask her whether or not they had obtained the water sample yet - she stated they had not and thought that Mr. Davis had forgot but she would talk to him about it.

I explained to her ^{that last spring} he was given a June 1st, 1986 deadline because he had to wait until the REA looked him up. Told her they should try to get this taken care of before the REA shut them off for 1986. She said they would.

I asked her to have him call either our office or Conservation if they needed assistance.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Nenny McMath



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 23, 1991

William B. Davis
RR 2 Box 32
Waubay, SD 57273

Dear Mr. Davis:

This letter is in regard to the water permit inspection for licensing of your irrigation system covered under Water Permit No. 3665-3, which I performed on May 15, 1991. At that time your son showed me two center pivots and two wells which are used to irrigate the SW and SE quarter sections of Section 13-T120N-R55W. Both the wells and the land irrigated are covered by the water permit.

At the time of the inspection I told your son that there was something wrong with the Soil/Water Compatibility Permit which is a separate permit required by the South Dakota Conservation Commission for irrigation. I checked our files and found that you have a soil/water permit for the SW1/4 but there is no soil/water permit for the SE1/4. South Dakota Water Law requires that land which is irrigated must have a Soil/Water Compatibility Permit for that particular piece of land. To bring your irrigation system into compliance you will need to take a water sample from the well in the SE1/4 and send it to the Water Quality Lab at SDSU in Brookings for testing, the results will be forwarded to the Conservation Commission in Pierre. Upon approval by the Conservation Commission, we can then issue the water right license.

I have enclosed an instruction sheet and the sticker which needs to be attached to the water sample when you send it to Brookings. I have highlighted the information which you will need to be concerned with. If you have any questions, feel free to contact me.

Sincerely,

Mark D. Rath
Natural Resources Engineer II
Water Rights Division
(605) 773-3352

enclosure
cc: Division of Conservation



Department of Agriculture
Division of Conservation
445 East Capitol Avenue
Pierre, South Dakota 57501-3185

Russell L. Stone, Director
(605) 773-3258

FAX (605) 773-5926



Dale Anderson
Irrigation Program
(605) 773-4025

Keith Harner
District Specialist
(605) 773-4515

Pete Jahraus
Natural Resource
Planner
(605) 773-4351

Cec Johnson
Senior Secretary
(605) 773-3258

Clark B. Johnson
Wetlands Coordinator
(605) 773-6503

Arlene Pitan
Senior Secretary
(605) 773-3259

Roy Richardson
NPS I&E Coordinator
(605) 773-5276

James L. Stukel
Irrigation Program
Administrator
(605) 773-4003

November 22, 1993

William B Davis
RR 2 Box 32
Waubay, SD 57273

RE: Soil Sample Results
Permit #1618-DA

Dear Mr. Davis,

Please find enclosed the results of the soil samples taken on May 27, 1993.

The Saturated Paste analysis is the best indicator of salinity levels in the field. The Sample ID row indicates the sample depth in inches.

The soil showed no evidence of a salinity hazard or sodium problem at this time.

Thank you for your cooperation in our monitoring program. We request your continued cooperation, if further monitoring is deemed necessary.

In reviewing your file, there is an unresolved issue concerning the SE $\frac{1}{4}$ in Section 13. This land is not presently covered by a Soil/Water Compatibility permit, which is a violation of SD laws. Please refer to the enclosed letter from the staff at the Division of Water Rights, dated May, 1991. It is imperative that this be resolved as soon as possible.

Enclosed is an application and instructions for obtaining a representative water sample from the well in the SE $\frac{1}{4}$. Please complete and return the application to this office. We feel that it is important to get the application process into motion soon.

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

Sincerely,

Dale L. Anderson

Dale L. Anderson, Natural Resource Analyst
Division of Conservation

Enclosure as stated.

CC: Eric Gronlund, Division of Water Rights



Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Florence Davis

File No. 3665-3

Address: PO Box 362, Waubay SD 57273 **County:** Day

Date: October 7, 2002 **Telephone:** (605) 947-4768

RE: About Water Permit No. 3665-3

Comments: I talked to Florence Davis about her husband's water permit. She told me that her husband has passed away. She told me that I should contact her son about her husband's water permit. Her son's contact information is as follows:

Will Davis
44236 152nd St
Waubay SD 57273

(605) 345-4851



Stacy J. Johnson
Natural Resources Project Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 2007

3665-3

Will Davis
44236 152nd St
Waubay SD 57273

Dear Mr. Davis:

I am writing in follow-up to our phone conversation concerning Water Permit No. 3665-3.

As we discussed, the permit is still listed in your dad's name and should be transferred to Florence's name. Enclosed is a partially completed "Notice of Transfer of Ownership" form. Please review it and complete as needed. A \$2.50 filing fee is required for a change of ownership. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2006 irrigation questionnaire for Water Permit No. 3665-3. I think in the past you have completed and returned the form however this year I don't find that we received one. Future irrigation questionnaires will be sent directly to you since you farm the land.

In reviewing the file, I found that the water permit had been inspected for licensing purposes back in 1982 and no license was ever issued. The reason it was put on hold was due to lack of soil-water compatibility. The requirements for soil-water compatibility have since been repealed. I have included a copy of the original permit and of the inspection report written up back in 1982. If you would, please review the inspection report and let us know if the two wells are still in use and what land is still being irrigated. We could issue a water license based on the old inspection if the information contained in the report is accurate. The fee for licensing was already paid so at this point all we need to issue a license is verification from you on what is being irrigated. You can go ahead and mark on the report and return it to us with any corrections you may have.

I am including a postage paid envelope for your use in returning the following:

- 2006 irrigation questionnaire
- "Notice of Transfer of Ownership" form and filing fee
- Inspection report showing which wells and land are still being irrigated.

If I can answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 27, 2007

3665-3

Will Davis
44236 152nd St
Waubay SD 57273

Dear Mr. Davis:

I am writing in regard to Water Permit No. 3665-3. The water permit is currently listed in the name of William B Davis. In February, I spoke with you concerning the water right and you indicated it should be transferred to your mother's name. Information was sent out to you but to date we have not received anything back.

Enclosed is an additional "Notice of Transfer of Ownership" form in the event you no longer have the original one. Please review it and complete as needed. A \$2.50 filing fee is required for a change of ownership. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of my February 12th letter to show you what is still required to update the water permit. Along with a postage paid envelope, I have attached the following materials for your review and completion:

- 2006 irrigation questionnaire
- "Notice of Transfer of Ownership" form and filing fee
- Inspection report showing which wells and land are still being irrigated (if anything has changed, we may need to send someone out to do another inspection; no additional fees will be required).

If I can answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program

enclosures



RECEIVED

AUG 13 2007

WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 27, 2007

3665-3

Will Davis
44236 152nd St
Waubay SD 57273

Dear Mr. Davis:

I am writing acknowledge receipt of the "Notice of Transfer of Ownership" form and the 2006 irrigation questionnaire for Water Permit No. 3665-3.

A \$2.50 filing fee is required for filing the transfer form. My first letter may not have been clear with respect to the fee. The check or money order for the fee can be made payable to the Water Rights Program. As soon as the fee is received, the water right will be transferred to Florence Davis. I noticed that you had signed the form for Florence but I am assuming you still wish to have the water right in her name.

With respect to the irrigation questionnaire, I will mail the annual form to you rather than to Florence. This does not affect ownership of the permit; it is just easier to send the form to the person who manages the irrigation.

I am including a postage paid envelope for your use in returning the \$2.50 filing fee. If I can answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/13, 20 07

RECEIVED OF William L Davis 44236 152nd St Waubay SD 57273

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

Fee for Application for Permit No. _____ and to put water to beneficial use _____	to Appropriate Water, to construct	2	50
Fee for Application for Permit No. _____	to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____	after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____			
Fee for Filing Transfer Form _____	3665-3		
Fee for _____			
Fee for Issuing New Well Driller's License No. _____	for C.Y. _____		
Fee for Renewal of Well Driller's License No _____	for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____	for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____	for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL		

No.

03120

By

Michael Erbale

Chief Engineer

RECEIVED

AUG - 2 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3665-3

Date: 7-26-07

I/We request that Water Permit No. 3665-3

formerly owned by: William B Davis

be transferred to: (name & address)

Florence Davis
109 N Oak ST P.O. Box 362
Wakarusa S.D. 57273

Telephone No. 605-947-4768

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

NE ¼ Section 14, S ½ Section 13 and NW ¼ Section 24 T120N, R55W

I/We understand that the validity of Water Permit No. 3665-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We [Signature], the new owner, certify that the above information is true and correct.

[Signature]
(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 ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2007

3665-3

Will Davis
44236 152nd St
Waubay SD 57273

Dear Mr. Davis:

The transfer of ownership for Water Permit No. 3665-3 has been completed. The water permit formerly listed in the name of William B Davis is now listed in the name of Florence Davis.

Enclosed is your Receipt No. 03120 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If I can answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 2008

3665-3
3931-3
5964-3

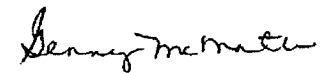
Will Davis
1225 Cherry Dr
Watertown SD 57201-8208

Dear Mr. Davis:

Enclosed is a "Notice" dated October 24, 2008 concerning the 2008 irrigation questionnaires for Florence Davis and Maurice Dorsett. The notice was originally mailed to 44236 152nd St, Waubay SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,


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

enclosures



3665-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: WILL L DAVIS, MGR, 1225 CHERRY DR, WATERTOWN, SD 57201

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3665-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3665-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/efrms/secure/efrms/E0455V7-IQ.pd>

c: FLORENCE DAVIS, PO BOX 362, WAUBAY SD 57273

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.

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5435
Status: **Delivered**

Your item was delivered at 9:22 AM on January 24, 2009 in WAUBAY, SD 57273. The item was signed for by F DAVIS.

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Enter Label/Receipt Number.

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
5435 2000 0000 0802 5435

FLORENCE DAVIS
PO BOX 362
WAUBAY SD 57273

Waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

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

CHECK ONE (POSTAL USE ONLY)

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

PS Form 3838, May 2008

(See Reverse)

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5428

Status: **Notice Left**

We attempted to deliver your item at 10:20 AM on January 24, 2009 in WATERTOWN, SD 57201 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. Information, if available, is updated every evening. Please check again later.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

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

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Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5428WILL L DAVIS, MGR
1225 CHERRY DR
WATERTOWN SD 57201Waiver of Signature ☐ YES ☐ NOPostmark
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 SERVICE)**

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

PS Form 122, May 2006

(See Reverse)

* Mr. Davis did not pick up mail; however the questionnaire was received and no further action is needed.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 2009

3665-3
3931-3
5964-3

Will Davis
1225 Cherry Dr
Watertown SD 57201

Dear Mr. Davis:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit No. 3665-3 and Water License Nos. 3931-3 and 5964-3.

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

If you have any questions, please contact me.

Sincerely,

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

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

c: Florence Davis
Maurice Dorsett



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 21, 2009

3665-3
3931-3
5964-3

Will Davis
1214 23rd St NE
Watertown SD 57201-6798

Dear Mr. Davis:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire.

The notice was originally mailed to 1225 Cherry Dr, Watertown. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 21, 2010

3665-3
3931-3
5964-3

Will Davis, Mgr
44236 152nd St
Waubay SD 57273-6118

Dear Mr. Davis:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaires..

The notice was originally mailed to 1214 23rd St NE, Watertown SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

3665-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 15, 2019

3665-3

Will L Davis
44236 152nd St
Waubay SD 57273

Dear Mr. Davis:

I am contacting you regarding ownership of land described in Water Permit No. 3665-3. The water permit is currently listed in the name of Florence Davis.

We have been mailing you irrigation questionnaires for years as that of "renter". There is a note in the file from early 2018 that indicates you are the executor of her estate. Has ownership been determined yet? If you now own the land, it should be transferred to your name.

Please contact our office as to whether the water permit can be updated with new ownership.
Thank you in advance,

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

3665-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 22, 2023

3665-3

William Davis
44236 152nd St
Waubay SD 57273

Dear Mr. Davis

Thank you for taking a moment to talk on the phone regarding the current ownership of Water Permit No. 3665-3 and the licensing process.

For your convenience I've enclosed two partially completed "Transfer of Ownership" forms. One for yourself and another for Duncan. If you would each, please complete the forms and return them in the pre-paid envelope with checks made payable to "SD Water Rights Program" in the amount of \$50.00 per transfer for a total of \$100.00.

There is also the matter of the \$50.00 licensing fee that was not paid by either permit holder prior to yourselves. The required total for both transfers and the licensing fee is \$150.00. If you would prefer to pay by card you may call Megan Stephenson in our Fiscal Office at 605.773.4216. These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

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

enclosures

3665-3, 3665A-3

3665B-3

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 3665-3

I have this day, November 13, 2023, made a thorough examination of the water use system constructed by William B. Davis Waubay, SD of Permit No. 3665-3, bearing the priority of February 22, 1977 authorizing the diversion of 9.0 cu. ft. per second of the waters of the "not specified in DANR materials" for irrigation purposes, in Day County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 2
- 3) Depth(s) 120 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 14 inches
- 2) Length 100 feet
- 3) Type steel

Screen:

- 1) Type Stainless steel
- 2) Length 20 feet
- 3) Static water level 17 feet

Pump:

- 1) Make WEST WELL (TURBINE) EAST WELL (SUBMERSIBLE)
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 800 each GPM

Motor:

- 1) Make WEST (ELECTRIC MOTOR) EAST (UNKNOWN)
- 2) Model No. Unknown
- 3) Horsepower rating WEST (50) EAST (UNKNOWN) hp

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

- 1) Type Above ground - Aluminum
- 2) Size 8 inches
- 3) Length 20-30 feet

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make 2 Valleys
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 800 each GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: WELL LOCATIONS
From the SE corner Sec 13 T120N R55W WEST WELL: 1320 ft N & 4000 ft W, Lat 45.19880 Long -
97.38684 (SW ¼ SW ¼) EAST WELL: 1320 ft N & 1320 ft W, Lat 45.19885 Long -97.37676 (SW ¼
SE ¼).

2. The works are capable of diverting and conveying to the place of use 3.56 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage**All land in Sec 13 T120N R55W**

NW SW – 33 acres

NE SW – 33 acres

SE SW – 33 acres

SW SW – 33 acres

legal description/acreage

NW SE – 33 acres

NE SE – 33 acres

SE SE – 33 acres

SW SE – 33 acres

comprising a total of 264 acres of land and the license should be issued for 3.56 cfs

3. All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project:

The irrigated acreage was estimated with the aid of FSA imagery and ArcMAPS software. Only two (2) of the proposed four (4) pivots were constructed.

This is an "old" permit where all available information found in the DANR data base may be out-of-date. I tried to include all available data in this report.

The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity.

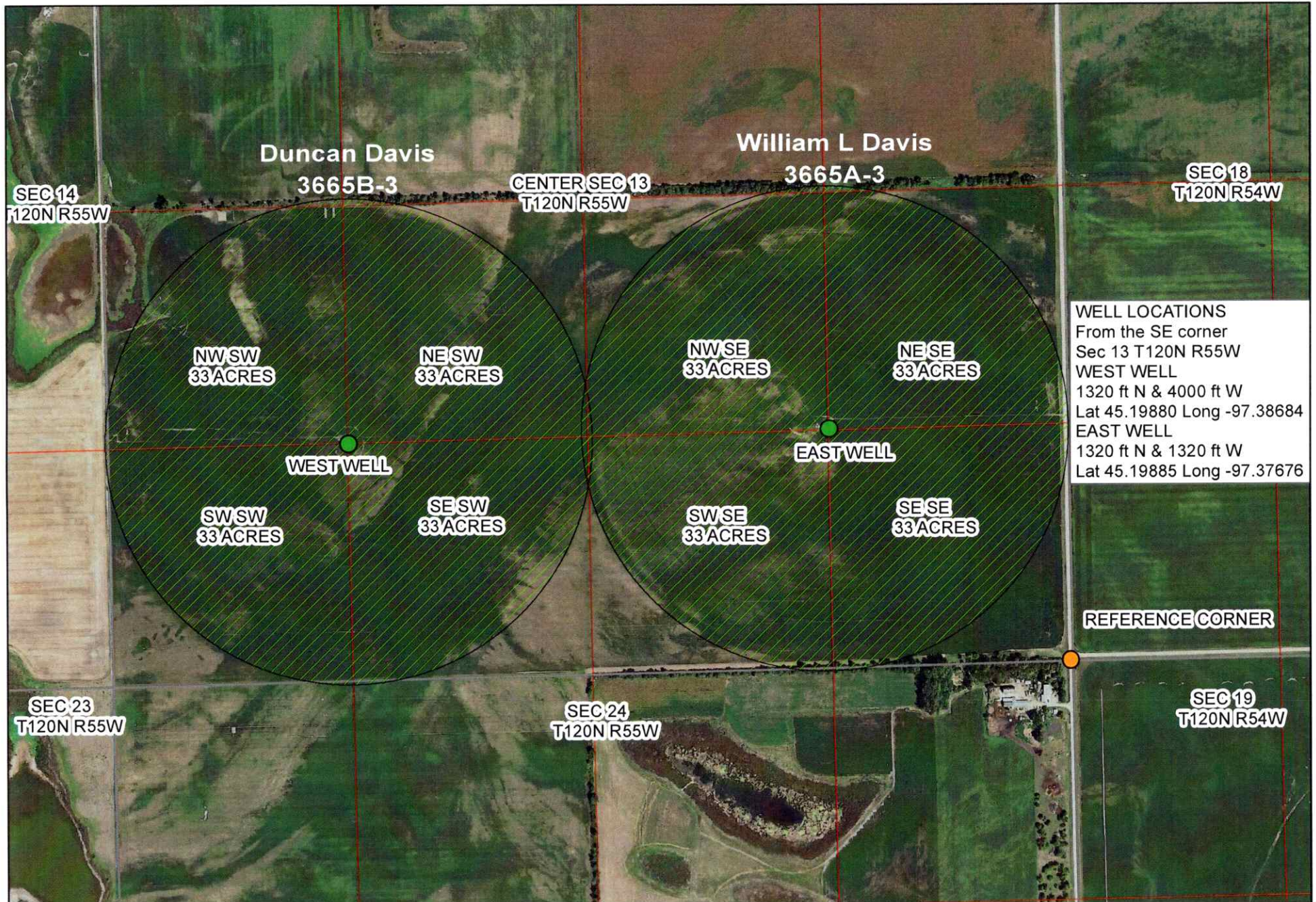
The mailing address and the telephone number (605/881-6004) in the permit materials are current

I talked to Landon (maybe a nephew) during the field inspection visit. I have not talked to Mr. Will L. Davis, Farm Manager.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: **November 21, 2023**



0 0.075 0.15 0.3 0.45 0.6 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

3665-3, 3665A-3
3665B-3

File No. 3665-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: William L Davis, 44236 152nd St, Waubay SD 57273

DATE: 01/05/2024

TELEPHONE: 605.881.6004

RE: Division and licensing of Permit No 3665-3 into 3665A-3 & 3665B-3

COMMENTS:

Dividing and licensing 3665-3 into two equal portions, each WR holder getting their own $\frac{1}{4}$ of S $\frac{1}{2}$ Sec 13, T120N, R55W. Wells operate at the same pump rate (800 gpm) per well and systems run independently.

Spoke w/ Will on the phone 1/5/24 (1:35PM). Will was ok w/ each WR holder having sole ownership of the well located in the center of the quarter section they were operating. SW $\frac{1}{4}$, system, and well would all go to Duncan Davis & SE $\frac{1}{4}$, system, and well would all go to William L Davis.

Spoke w/ Duncan Davis on the phone 1/5/24 (1:55PM). Duncan was also ok w/ each WR holder having sole ownership of their own well in their own quarter section.

Duncan Davis, 616 E 5th Ave, Waubay SD 57273
Phone # 605.268.2420



Amanda Dewell
Water Rights Program

3665-3

RECEIPT

WATER RIGHTS PROGRAM
 South Dakota Department of Agriculture and Natural Resources

Date December 21, 2023RECEIVED OF William/Duncan Davis 44236 152 ST. Waubay SD 57273

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 3665B-3 <u>3665-3</u>	<u>\$50.00</u>
Fee for <u>Back dated Licensing fee</u>	\$ _____
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 Monlund
 Chief Engineer
vm