

Per Right Number 3696-3

1. Considered 3-24, 1977
2. Name of Applicant JOHN D. ORR
3. Post Office Address LINCOLN, NEB.
4. Amount of water claimed 2.20
5. Source of Water supply 255' WELL
6. Water to be used for IRR.

Acres to be irrigated 159

7. Water to be diverted and used in CHAS. MIX County
about 3 N miles WAGNER
8. Proof of Publication Received 3-21-77

Not Received —

9. Application

Approved 3-28-79

Subject to WIT 1/2 mile

Not Approved Spacing

Action Deferred —

10. Remarks:

*Sept 30 75
Sept 28, 1976*

*Deferred
3-24-77*

Water Right Number 3696-3

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3. Post Office Address LINCOLN, NEB.
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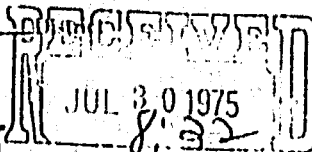
Subject to WIT 1/2 mile Spacing

Not Approved —

Action Deferred —

10. Remarks:

*July 30 75
Sept 29, 1976
Deferred 3-28-77*

No. 3606-3Map No. 2970-3Water Division No. 3 MISSOURI RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant John D. Orr
Postoffice address 1601 N. 50th, Lincoln, State Nebraska
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work ORR #1
4. Amount of water claimed (cubic feet per second) 2.2 C.F.S.
1000 gallons per minute
5. Source of water supply Well 255 feet deep
6. Location of point of diversion CENTER OF SE 1/4 SE 1/4 16-T96N-R63W
County _____
7. Annual period or periods during which water is to be used April, May, June, July, Aug., Sept.
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 159

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 - SE 1/4 Bryan	40	Total of 159 acres	
NW 1/4 - SE 1/4 Bryan	40	Lot 16, Twp 96 Range 63	63
SE 1/4 - SE 1/4 Bryan	40		
SW 1/4 - SE 1/4 Bryan	39		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system one years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Lake Andes Wave, Lake Andes, SD
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 50,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)NEBRASKA
STATE OF SOUTH DAKOTACounty of LincolnI, John D. Orr, 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 John D. OrrSubscribed and sworn to before me this 27th day of July, 1975

Notary Public (or other qualified officer)

My Commission Expires
Sept. 9, 1975

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3696-3
JOHN LOCK 1601 N. 60TH LINCOLN
 (Applicant) (Post Office Address)
NEBRASKA 68505 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 JULY 30 19 75
 Date of return to applicant for correction, amendments or changes required _____ 19 _____
 Date of receipt of corrected application WA SEPTEMBER 28 19 76
 Approved MARCH 28 19 79 Recorded in Book 20 Page 220

WATER RIGHT PERMIT NO. 3696-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3696-3 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 SEPTEMBER 28 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 28 19 79
3. The whole of said work is to be completed on or before MARCH 28 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28 19 80
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.20 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 use served, and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28 19 80; said water to be used during the following described annual period: APRIL THRU SEPTEMBER

Witness my hand this 4th day of APRIL 19 79

WATER RIGHTS COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

TEST LOG

May 9, 1975

John Orr
1601 North 60th
Lincoln, Nebraska

3 North Wagner, South Dakota schoolhouse & West Center

0-20	clay
20-26	shale
26-33	coarse sand boulder
33-45	shale
45-67	fine gravel boulders shale mix
67-72	shale
72-80	fine gravel boulder shale mix
80-123	shale
123-133	shale
133-160	fine gravel boulders
160-175	fine gravel
175-180	shale
180-189	fine gravel
189-192	shale
192-229	fine gravel
229-233	shale
233-255	fine gravel
255-264	shale
264-268	fine gravel
268-280	shale

Well 255 ft.

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 36 inches, Depth 255 feet
- (2) Casing, Type open hole, Diameter 18 inches, Thickness 2 inches
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Every other 4 ft. concrete section plain and perforated alternating
Type below 45 ft to 255 ft, Diameter _____, Length _____
- (4) Gravel Pack, Thickness 2 inches, Length of gravel pack not yet determined

F. 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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ 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.

The undersigned agrees to work closely with the Charles Mix County Extension Service and Soil Conservation Service in designing an efficient and water and energy conserving system.

The undersigned is agreeable to making this unit an experimental farm where records of production and technology application may be made available to the general public.

Johnston
Signature of Applicant

Conservation
Commission
Form W1 21

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-2 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE OF
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: _____
Disapproved: [Signature]

NAME: John D. Orr tenant - Earl Soulek
ADDRESS: 1801 W. 80, Lincoln, NE Warner, B. D.
COUNTY: Lancaster Charles Mix

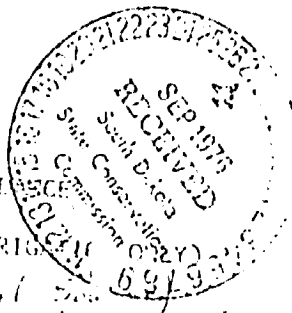
- LEGAL DESCRIPTION In center of NW 1/4 - SE 1/4 Bryan, Lot 16, Block 95, Range 63
SW 1/4 - SE 1/4 Bryan, Lot 16, Block 95, Range 63
1. WELL LOCATION: _____
2. AREA TO BE IRRIGATED: Same as above

- TYPE OF IRRIGATION
3. GRAVITY: _____ SPRINKLER (Indicate Type): Pivot
4. CROPS TO BE IRRIGATED: alfalfa, corn or milo

- LAND CAPABILITY FOR IRRIGATION
5. PERCENTAGE OF SLOPE: near level
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: loam over clay

- WATER QUALITY (TO BE COMPLETED BY COMMISSION)
7. SAMPLE NO.: _____
8. SALINITY: _____
9. SODIUM: _____

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



NAME John D. Orr
ADDRESS 1601 North 60th Lincoln Nebraska 68505
COUNTY of water sample Charles Mix Bryan Township

LEGAL DESCRIPTION

1. WELL LOCATION SE 1/4 of SE 1/2 of section 16
2. LOCATION OF AREA TO BE IRRIGATED Township 96 Range 63 west, Section 16

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED milo or corn

WATER QUALITY

5. SAMPLE NUMBER 76-1255
6. SALINITY (EC X 10⁶) 2107 (high)
7. SODIUM (SAR) 7.44 (medium)
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 Charles Mix 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.

Approval does not imply that this project can be carried out successfully in all circumstances. Individual management will, to a large degree, determine the relative success of this venture.

SUBSCRIBED AND SWORN BEFORE ME THIS
31 DAY OF August 1976.

APPLICANT'S SIGNATURE
John D. Orr
Approved Abby J. Hoff

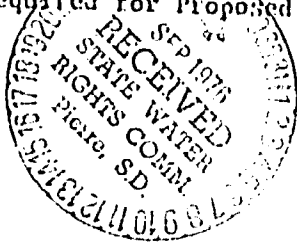
Martha M. Rogers
APPROVED/DISTRICT APPROVED

(TITLE OR SEAL)

(SOILS INFORMATION ON REVERSE SIDE)

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDSD 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)



FOR COMMISSION USE OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: John D. Orr tenant - Carl Soulek

ADDRESS: 1601 N. 60, Lincoln, NE
Wagner, S. D.

COUNTY: Lancaster
Charles Mix

LEGAL DESCRIPTION

1. WELL LOCATION: In center of NW - Sec 4 Bryan, Lot 16, Block 96, Range 63
SE - Bryan, Lot 16, Block 96, Range 63

2. AREA TO BE IRRIGATED: Same as above

TYPE OF IRRIGATION

3. ~~GRAVITY~~ SPRINKLER (Indicate Type): Pivot

4. CROPS TO BE IRRIGATED: alfalfa, corn or milo

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: near level

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: loam over clay

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 25-837

8. SALINITY: 1774

9. SODIUM: 923

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

the test well

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

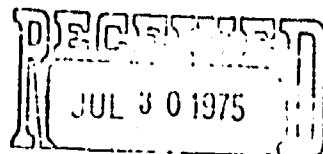
John Orr

Subscribed and sworn before me this

28th day of July 1975.

Lura Marie O'Neill

Natural Public-Notary Commission
(Title) Expires Sept. 9, 1975



STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

No. 3646-3

Publish first publication, on or before March 10, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 4, 19 77

Notice is hereby given that John S. Orr
whose post office address is Lincoln, Nebraska, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.2 cubic feet of water per second of time from the ground water through the
Grr # 1, the point of diversion of which is to be located in the

center of SE 1/4

of Section 16, Twp. 56N, Range 62E. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4, Section 16, T56N, R62E

This application No. 3646-3 will be considered by the Water Rights Commission at their office at
Pierre on the 24th day of March, 19 77, at 11:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BFJ/bw
cc:

Carl Soulek, Wagner, SD 57380

No. 23696-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County (Charles Mix) ss.

I, A. R. Sabalka hereby

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

Water was taken from the Lake Andes Water

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 Lake Andes

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

March 9

March 16

A. R. Sabalka
(Signature)

Publisher
(Title)

March 9 1977
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
March 4, 1977

Notice is hereby given that
John D. Orr whose post office
address is Lincoln, Nebraska has
made an application in
accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.2 cubic feet of
water per second of time from
ground water through the Orr #
1, the point of diversion of which
is to be located in the center of
SE 1/4 of Section 16, Twp. 96N,
Range 63W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land: SE 1/4,
Section 16, T96N, R63W.

This application No. 3696-3
will be considered by the Water
Rights Commission at their
office at Pierre upon the 24th,
day of March, 1977, at 11:00
A.M. All interested persons may
appear and be heard.

WATER RIGHTS COMMISSION
By: JAMES WINTERTON
Water Rights Specialist

M-9-16



REPORT ON THE CHARLES MIX - DOUGLAS COUNTY AREAS

March 23, 1978

During the March 1977 Water Rights Commission meeting some of the deferred applications in the Lake Andes - Wagner area were reconsidered. At that time, 6 applications from the Choteau aquifer and 7 from the Belmont aquifer were approved. The Water Rights Commission Staff has not followed up on these applications and it is not known which are developed or how much pumping has been done.

Listing of Deferred Applications

CHARLES MIX COUNTY

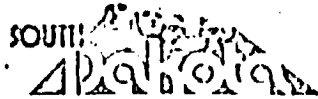
2310-3 Richard Soulek
2323-3 Dale Meyer
3696-3 John D. Orr
3697-3 Dean Weber
3698-3 Rolland B. Vanderpol
3700-3 Holzbauer Bros.
3701-3 Marlin Laska
3704-3 Edward E. Weber
3705-3 Greenwood Colony
3706-3 Holzbauer Bros.
3736-3 Holzbauer Bros.
3750-3 Gary Hrdlicka
4004-3 Wilbur and Eugene Slaba
4005-3 Maynard & Vera Vesper
4198-3 Joe Holzbauer

DOUGLAS COUNTY

2283-3 Ted Reinfeld
3699-3 Joe L. Sanders
3702-3 Clarence Ewing
3703-3 Clarence Ewing
3708-3 Donald Schmidt
4059-3 Eltor Brenner

The Water Rights Commission Staff is concerned about the water levels in the Choteau aquifer. At this time the water levels are 8-10 feet below what is considered normal. The Belmont aquifer is 3-4 feet below normal and should recharge this spring with normal snowmelt. The Water Rights Commission Staff is recommending no action on these applications at this time.

JOHN HATCH, Chief Engineer
Water Rights Commission



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 23, 1978

TO: Persons with deferred applications in Charles Mix & Douglas Counties.

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of deferred applications in Charles Mix & Douglas Counties.

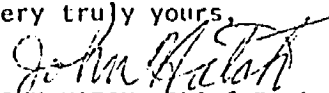
The Water Rights Commission will reconsider Water Right Applications in Charles Mix & Douglas Counties at 10:30 am, March 29, 1978 at the Guest House, 101 North Broadway, Watertown, South Dakota.

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

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

After reconsideration of the deferred Applications in Charles Mix & Douglas Counties the Commission can approve, defer, or deny all or parts of the Applications. A copy of the "Report on the Charles Mix - Douglas County Areas" is enclosed for your information.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

enclosure



Department of Natural Resource Development

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

March 14, 1979

TO: Holders of Deferred Applications in Charles Mix and Douglas Counties
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Water Right Applications in Charles Mix and Douglas Counties at 3:30 p.m., March 28, 1979, at the Community Room of the Pierre City Hall, 222 East Dakota Ave, Pierre, South Dakota.

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

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

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

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, somewhat stylized script.

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

3696-3

December 16, 1987

John D. Orr
1601 N 60th
Lincoln, Nebraska 68505

Dear Mr. Orr:

I am returning your 1987 Irrigation Water Use Questionnaire. It is impossible to determine the amount of water use from your questionnaire as completed.

As stated in the October 8th letter, Water Management Board Rules on water permit qualifications require questionnaires to be submitted each year. The questionnaire needs to be completed in such a way that actual water use can be determined for a particular crop and acreage.

The questionnaire will have to be completed and returned by December 31, 1987.

If you have any questions, please contact me at 605-773-3352.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms

SOUTH Dakota Department of
Water & Natural Resources

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

November 4, 1988

3696-3

John Uecker
RR #1 Box 169
Wagner, SD 57380

Dear Mr. Uecker:

I am contacting you in regard to ownership of Water Permit No. 3696-3, currently listed in the name of John Orr (copy enclosed). Mr. Orr has notified our office that he no longer owns the land described in the permit. I obtained your name from the Charles Mix County Assessor's Office as being owner of the land.

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 3696-3. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water permit will then be transferred to your name.

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.

I also enclosed a 1988 irrigation questionnaire pertaining to irrigation done under this permit. Please complete the form and return it to us by December 20, 1988. If you have any questions, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 15/12

This is to notify you that the title to the lands described as follows:

159 acres - SE1 Section 16, T96N, R63W

formerly owned by John D Orr

has been transferred to John E Wecker DPH 1 Box 119 Wiggins, SD
(please include complete mailing address) 57380
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3696-3 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.

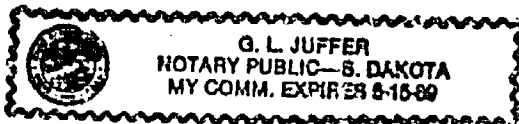
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Charles Co.) ss.

I, John E Wecker 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.

John E Wecker
(Signed)

Subscribed and sworn to before me this 15th Day of December, 1988.



G. L. Juffer
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 12, 1932

RECEIVED OF John E Uecker, RR 1, Box 169, Wagner SD 57380

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 No. <u>3596-3</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

Chas Hatch
Chief Engineer

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

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

January 31, 1989

John E. Uecker
RR 1, Box 169
Wagner, SD 57380

Dear Mr. Uecker:

Enclosed is Receipt No. 411553 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 3696-3.

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

Sincerely,

Marie R. Arthur

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





3696-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 1993

NOTICE

TO: JOHN E UECKER
RR #1 BOX 169
WAGNER SD 57380

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 2282-3 & 3696-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

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

1. Amend Permit No(s) 2282-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

3696-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-5181

February 5, 1993

2282-3
3696-3

John E Uecker
RR #1 box 169
Wagner, SD 57380

Dear Mr. Uecker:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires for Water Right No. 2282-3 and Water Permit No. 3696-3. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit 1992 Irrigation Questionnaires.

The questionnaires were received in our office prior to the Water Management Board Meeting and your name has been deleted from the agenda. If you have any questions, please contact me.

Sincerely,

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

3696-3 PAGE NO.

**Bernard
Schleder**

FOREMAN

COPY



Permit No. 3696-3
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by John Orr of 1601 North 60TH, Lincoln, NE holder of Permit No. 3696-3, bearing the priority of September 28, 1976 authorizing the diversion of 2.20 cu. ft. of water per second from groundwater (1 well) for irrigation purposes, in Charles Mix County.

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

A. Works used to divert the water:

U.S. Motor
 Frame No. 365PP
 75 HP

Vordi-Line pump
 Model No. 79-71349
 800 GPM

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

1 well at pivot center.

C. Works used to apply water to beneficial use:

Center Pivot:

Zimmatic
 7 towers
 High pressure with end gun (80 PSI)
 800 GPM

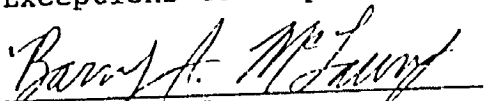
The system is in the following condition poor. The point of diversion is located 1320 feet E and 1320 feet S from the center of Section 16 T96N-R63W (SE1/4). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>T96N-R63W</u>	<u>Section 16</u>	<u>NW1/4 SE1/4</u>	<u>34 acres</u>
		<u>NE1/4 SE1/4</u>	<u>34 acres</u>
		<u>SW1/4 SE1/4</u>	<u>34 acres</u>
		<u>SE1/4 SE1/4</u>	<u>34 acres</u>

comprising a total of 136 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: 4-27-93


 Barry A. McLaury
 Natural Resources Analyst
 DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 3696-3

DATE: April 27, 1993

Other permit(s) associated with the project: None

DIVERSION POINT LEGAL LOCATION: 1320 feet E and 1320 feet S from the center of Section 16 T96N-R63W.

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 200 feet
- 4) Well log is available N

Casing:

- 1) Diameter 16 inches
- 2) Length 140 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 60 feet
- 3) Static water level feet

Pump:

- 1) Make Verdi-Line
- 2) Model 79-71349
- 3) Pressure 80 PSI
- 4) Capacity 800 GPM

Motor:

- 1) Make U.S. Motor
- 2) Frame No. 365PP
- 3) Horsepower rating 75 hp

SYSTEM TYPE:

Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1320 feet
- 3) Number of towers 7
- 4) Distance between towers 188 feet
- 5) End gun Y
- 6) High or low pressure High (80 PSI)
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



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

March 10, 1994

3696-3

John Uecker
RR 1, Box 169
Wagner, SD 57380

Dear Mr. Uecker:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 3696-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

414104

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, March 25, 19 94

RECEIVED OF John Becker, RR 1 Box 169, Wagner, SD 57580-9631

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. <u>3696-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Becker
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3696-3

(1) John D. Orr, of Lincoln, Nebraska made Application No. 3696-3, July 30, 1975 for a water permit to appropriate 2.2 cubic feet of water per second from groundwater, Charles Mix County, South Dakota for irrigation purposes. Permit No. 3696-3, with a priority date of September 28, 1976 was approved March 28, 1979 and issued to the applicant for diversion of water with construction of the described water supply system to be completed March 28, 1980 and for the application to beneficial use of said water completed on March 28, 1980.

Water Permit No. 3696-3 was transferred December 19, 1988 to John Uecker.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1320 feet E and 1320 feet S from the center of Section 16-T96N-R63W (SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T96N-R63W	Section 16	NW 1/4 SE 1/4	34 acres
		NE 1/4 SE 1/4	34 acres
		SW 1/4 SE 1/4	34 acres
		SE 1/4 SE 1/4	34 acres
		Total	136 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 John Uecker, RR 1, Box 169, Wagner SD 57380 the holder and/or owner of Water Permit No. 3696-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of September 28, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 3696-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date



3696-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 14 1994

3696-3

John Uecker
RR 1, Box 169
Wagner, SD 57380

Dear Mr. Uecker:

Enclosed is Water License No. 3696-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414104 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3696-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

rd
enclosures



January 9, 1998

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501 3181

TO: JOHN E UECKER, RR 1 BOX 169, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 5930A-3, 2282-3 & 3696-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2282-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5930A-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 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) 5930A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2282-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 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 (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:

JOHN E UECKER
RR 1 BOX 169
WAGNER SD 57380

3694-3

4a. Article Number

Z179157163

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 *Erdeni Uecker*

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

Thank you for using Return Receipt Service.



3676-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 1998

2282-3
3696-3
5930A-3

John E Uecker
RR 1 Box 169
Wagner, SD 57380

Dear Mr. Uecker:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 2282-3, 3696-3 and 5930A-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

January 14, 2004

NOTICE

TO: JOHN E UECKER, 39440 294TH ST, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5930A-3, 2282-3 & 3696-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2282-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5930A-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 3, 2004 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) 5930A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2282-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



3696-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2004

2282-3
3696-3
5930A-3

John E Uecker
39440 294th St
Wagner SD 57380

Dear Mr. Uecker:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2282-3, 3696-3 and 5930A-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: JOHN E UECKER, 39440 294TH ST, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2282-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5930A-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 2, 2005 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) 5930A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2282-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



3696-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 2005

2282-3
3696-3
5930A-3

John E Uecker
39440 294th St
Wagner SD 57380

Dear Mr. Uecker:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2282-3, 3696-3 and 5930A-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I noticed on two of the forms that you wrote the land has been sold. They are as follows:

- Water Right No. 3696-3 authorizes diversion of ground water from a well in the center of the SE ¼ Section 16 to irrigate 136 acres in the SE ¼ Section 16, T96N, R63W
- Water Permit No. 5930A-3 authorizes diversion of water from Choteau Creek to irrigate 20 acres in the NE ¼ NE ¼ Section 34, T96N, R63W.

In order for us to contact the new owner and have the water rights transferred, we need to know the name and address of who the new owner(s) is. Please take a few minutes to reply and send us the information. I have enclosed a postage paid envelope for your convenience.

If you have any questions, please contact me.

Sincerely,

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

enclosure



February 17, 2005

3696-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

3696-3
5930A-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

Thank you for visiting with me about ownership of Water Permit No. 5930A-3 and 3696-3. I have enclosed copies of each one for your review.

Also enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change for each water permit/right. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Water Permit No. 5930A-3 authorizes diversion of water from Choteau Creek for irrigation purposes. You mentioned that you did not pump water from the creek. In South Dakota, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit or right. This three year period may be waived if legal excuse exists for the years of non-use. If you have decided not to maintain the water permit, you will not need to transfer that specific water permit. What will happen in that case is we will go ahead and schedule the water permit for cancellation consideration.

As we discussed, I am sending along a set of 2004 irrigation questionnaires for Wilbur Slaba. These forms were due back in December and are currently pending Board action to possibly suspend No. 5811-3 for one year due to non-return of the form. No. 2218-3 would be amended to include the mandatory questionnaire qualification. Please give these to whoever is responsible for completing them each year. If the forms are received back in our office prior to February 25th, they will be removed from the agenda and no action will be taken on them.

Thank you in advance for all your help. If you have questions concerning any of the enclosed information, please contact me.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Eugene Slaba, 29251 393rd Ave, Wagner SD 57380 Date February 23rd 2005

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2.50	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 3690-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001774

By Harland Erbeles
Chief Engineer

KS

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

FEB 23 2005

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

No. 3696-3 WATER RIGHTS
PROGRAM

Date: 2-19-05

I/We request that Water Right No. 3696-3

formerly owned by: John Uecker

be transferred to: (name & address) Eugene J. Slaba & Barbara J. Slaba
29251 393rd Ave Wagner S.D. 57380
Telephone No. 605 384-5381

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

136 acres - SE 1/4 Section 16, T96N, R63W

(diversion from ground water)

I/We understand that the validity of Water Right No. 3696-3 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 Eugene & Barbara Slaba, the new owner, certify that the above information is true and correct.

Eugene J. Slaba
(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.



3696-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 4, 2005

2218-3
3696-3
5811-3

Eugene J & Barbara J Slaba
Jason & Joseph Slaba
29251 393rd Ave
Wagner SD 57380

Dear Sirs:

Thank you for following up on the ownership change for Water Right Nos. 2218-3, 3696-3 and 5811-3. The transfers have been completed. The following changes were made with the water rights:

No. 2218-3 transferred from Wilber Slaba to "Eugene J & Barbara J Slaba and Jason & Joseph Slaba"

No. 5811-3 transferred from Wilber Slaba to "Eugene J & Barbara J Slaba and Jason & Joseph Slaba"; and

No. 3696-3 transferred from John Uecker to "Eugene J & Barbara J Slaba".

Enclosed are your Receipt Nos. 001774, 001780 & 001781 in the amounts of \$2.50 each. You may keep these for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

September 29, 1975

Dear Larry;

I made a sketch of the soils map of the SE $\frac{1}{4}$ 16-96-63.

The soils on this quarter of land are: Houdek, Tetonka, Onita-Tetonka and Clarno-Ethan.

The intake and soil descriptions are:

Houdek - 0.3: Deep, well drained loamy soils having moderately slow to slowly permeable clay loam underlain by clay loam or loam till.

Tetonka: Not listed in the Irrigation Guide. Poor soils for irrigation.

Onita - 0.5: Deep, dark colored, moderately permeable clay loam, moderately well drained soils having loamy or silty surfaces, silt loam or loam subsoils, underlain by loamy alluvium or till.

Clarno-Ethan 0.5: This complex is on gently sloping or undulating uplands. Areas of these soils range from about 40 acres to several hundred acres in size and are of irregular shape.

Clarno soils are about 50 to 60 percent, Ethan soils to 20 to 30 percent and other soils 10 to 20 percent. Clarno soils are on plane sideslopes and Ethan soils are on convex knobs and ridges. Ethan soils show up as light spots in plowed fields; whereas, Clarno soils are the darker areas.

Included in this complex are Betts, Prosper and Tetonka soils. Betts soils are on convex knobs and ridges, and Tetonka soils are in depressions. Prosper soils are in swales. A few glacial boulders are in some areas.

Runoff is medium. Controlling erosion and maintaining fertility are the main concern of management.



Most of this complex is farmed. Alfalfa, corn spring grain and sorghum are the main crops. Native grass areas are used for pasture and hay.

Clarno soil in capability unit IIe2, Silty range site, windbreak group 3; Ethan Soil in capability unit IIIe12, Silty range site, windbreak group 6.

Yours truly,



Edwin G. Artz
District Conservationist

EGA/eb

proposed
Site of Well

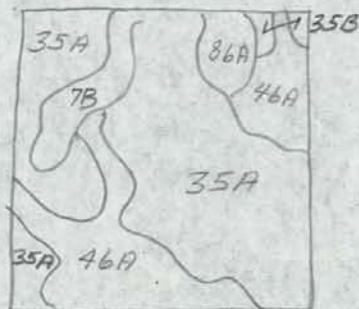
low
spot
possible
Site for
re-use
pit

Rural
School
House

3696-3

Carl Soulek

scale - 3.2" = 1 mi.



SE4-16-96-63

35A - Houdek
35B -
46A - Onida Teton Ka
86A - Teton Ka
7B - Clarno - Ethan



MAP NO 2970-3 APPA 112 34443

3696-3

NOT TO SCALE

96-63

T54
87.3

T154

(102-R
(K26)

744

NC

T144

73.9

59.0
T161

NC

16

155.4

T126

NW⁴SE⁴
34 AcresNE⁴SE⁴
34 Acres

28.7

1320'

1320'

well

SW⁴SE⁴
34 AcresSE⁴SE⁴
34 Acres

96-63

Barry McLaury *Barry A. McLaury*
 Natural Resources Analyst
 Division of Water Rights
 Date June 25, 1993

3696-3

96-63

754
87.3

7 T/54

(K 26)

74.4

59.0
T161

16.11

7	155.4
---	-------

T126

NC

28.7

Full size
pivot
a/b ac

96-63





3696-3
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 21, 2011

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, 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
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January 24, 2011

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2010 irrigation questionnaires. I completed questionnaires for you based on my telephone conversation with Jason Slaba.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have 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



3696-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 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.

3696-3



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

January 29, 2013

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3696-3
DEPARTMENT of ENVIRONMENT
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January 16, 2015

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 27, 2015

2218-3
2696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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



3696-3
DEPARTMENT of ENVIRONMENT
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January 15, 2016

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office 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.



3696-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 28, 2016

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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January 20, 2017

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 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 questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <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.



3696-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 27, 2017

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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



3636-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 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 questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2018

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



3696-3
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: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 6, 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 questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <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.

3696-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 31, 2019

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have 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



3696-3
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, 2020

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: GEKRXM**

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2020

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 2281-3, 3696-3 and 5811-3. 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

3696-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NUZUGC**

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.

3696-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2022

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires. They were received the same day we mailed out the Notice scheduling a hearing.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



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

February 2, 2023

2218-3
3696-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TXWHXC**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2025

2218-3, 3696-3, 5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2218-3, 3696-3 & 5811-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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