

Water Right Number 3781-3

1. Considered 5-26, 19 77
2. Name of Applicant DAVID GRONBERG
3. Post Office Address SOUTH SHORE
4. Amount of Water claimed NO ADDITIONAL
5. Source of Water supply 105' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 296
7. Water to be diverted and used in CODINGTON County
about 3N miles of SOUTH SHORE
8. Proof of Publication
Received 4-26-77
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 3781-3
Map No. 1614-3 Water Division No. 3 WHEATSTONE CREEK District
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant David Groneberg
Postoffice address South Shore, State South Dakota 57263
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Groneberg #2
4. Amount of water claimed (cubic feet per second) no additional
ground water
5. Source of water supply _____
6. Location of point of diversion a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, T116N, R51W

County Codington
7. Annual period or periods during which water is to be used May thru October
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 296

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.
Sec. 3-119-51 NW $\frac{1}{4}$ NE $\frac{1}{4}$	39	Sec. 2-119-51 NW $\frac{1}{4}$ NW $\frac{1}{4}$	30
NE $\frac{1}{4}$ NE $\frac{1}{4}$	32	NE $\frac{1}{4}$ NW $\frac{1}{4}$	39
SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	SW $\frac{1}{4}$ NW $\frac{1}{4}$	37
SE $\frac{1}{4}$ NE $\frac{1}{4}$	39	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Public Opinion, Watertown, SD
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
Well with turbine pump

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

C. Works proposed to apply water to beneficial use.

Center pivot Irrigation system

This application
proposes the addition
of one well to irrigate
the same land covered in
Permit No. 2223-3

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
County of Hughes) ss.
David Groneberg

I, David Groneberg 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 David Groneberg
16th day of February 1977
Subscribed and sworn to before me this _____

Betty Westlund
Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3781-3

DAVID GRINGBERG
(Applicant)

SOUTH SHORE
(Post Office Address)

SOUTH DAKOTA 57263
(State)

With the following modifications.

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

Date of first receipt of application FEBRUARY 16, 19 77
Date of return to applicant for correction, amendments or changes required —, 19 —
Date of receipt of corrected application —, 19 —
Approved MAY 26, 19 77, Recorded in Book 18 Page 196

WATER RIGHT PERMIT NO. 3781-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3781-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 16, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26, 19 79
3. The whole of said work is to be completed on or before MAY 26, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 26, 19 85
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 NO ADDITIONAL cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before MAY 26, 19 85; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 9TH day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

SEE PERMIT NO 2223-3
FOR WATER QUALITY DATA

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 22", Depth 105'

(2) Casing, Type Steel Diameter 12" Thickness 1/4"
(wood, concrete, steel, etc.)

(3) Perforated Screen.

Type Continuous slot, Diameter 12", Length 10' - Screened at two
depths - 5' each

(4) Gravel Pack, Thickness 5", Length of gravel pack 65'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials 0-17' sand and gravel - top soil;
17'-25' clay; 25'-56' sand and gravel;
56'-85' clay; 85'-105' gravel; 105' - clay

Depth to top of water bearing material 25'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 55'

Depth to water (ground surface to water level) 25'

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

On same owner's property 105 rds. On property owned by others 240 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.

David L. Luchey
Signature of Applicant

No. 3781-3

Publish first publication, on or before March 13, 19 77

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 30, 19 77

Notice is hereby given that David Groneberg
whose post office address is South Shore, 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
No Additional cubic feet of water per second of time from the ground water through the
Groneberg #1, the point of diversion of which is to be located in the _____

NE 1/4 NW 1/4
of Section 2, Twp. 11N, Range 51W. Said water to be used for the purpose
of providing irrigation on the following described land:
portions of

NE 1/4, Section 2, NW 1/4, Section 2-T11N-R51W

This application No. 3781-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of July, 19 77, at 11:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERFON
Water Rights Specialist

BFJ/bw

cc: David Groneberg, South Shore, S. Dak. 57263

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office So. Pierre, S. Dak.Date Feb. 31, 1978

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3781-3.

Water Right Permit No. 3781-3 states that the diversion system is to be constructed by May 26, 1982 and that the water is to be put to beneficial use by May 26, 1985.

The diversion system was completed on July, 1977.
Applying the water to beneficial use was completed on Aug.,
1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

David Henrich
(Signature)

Permit No. 3781-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by DAVID GRONBERG of SOUTH SHORE holder of Permit No. 3781-3, bearing date of priority of FEBRUARY 27, 1975 * authorizing the diversion of 4.2 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in CODINGTON County.

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

The Water Use System consists of:

- A. Works used to divert the water:
 W. WELL - 103' DEEP WITH 16" FIBREGLAS CASING - 2-10' LENGTHS OF FIBREGLAS SCREEN - 1 FROM 25'-56' DEPTH & 1 IN 75'-105' DEPTH.
 FAIRBANKS MORSE 3" PUMP - 3-12M. WITH 75HP GE ELECTRIC MOTOR.
 E. WELL - 103' DEEP WITH 16" STEEL CASING - 20' SS SCREEN IN LOWER FORMATION
 NATIONAL PUMP CO 8" PUMP WITH 75 HP GE ELECTRIC MOTOR
- B. Works used to transport water to place of use,
 460' 8" BURIED PVC FROM E WELL TO E PIVOT POINT
 30' 8" ALUM LINE FROM W WELL TO E PIVOT
 2640' 8" BURIED PVC FROM E PIVOT POINT TO W PIVOT POINT
- C. Works used to apply water to beneficial use.
 2 - 13 TOWER VALLEY WATER DRIVE CENTER PIVOT SYSTEMS, BOTH WITH NELSON #100 END GUNS

The system is in the following condition: GOODThe point of diversion is located W. WELL - 1320' E & 1350' S; E. WELL - 1320' S & 2280' E, BOTH FROM NW CORNER SECTION 2, T119N, R51W *The works are capable of diverting and conveying to the place of use 3.75 (400 GPM W PIVOT 800 GPM E PIVOT)cu. ft per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T119N, R51W

NE⁴ SEC 3 132 ACRE CIRCLE
NW⁴ SEC 2 132 ACRE CIRCLE

comprising a total of 264 acres of land.

* THE APPLICABLE PORTIONS OF PERMIT NO 2223-3
 HAVE BEEN INCORPORATED INTO THIS WATER LICENSE.

THIS LAND WAS RECENTLY SOLD - WILL FILE
 TRANSFER WHEN DEAL IS COMPLETE - SAME
 TRANSFER FORMS.

INDICATES W. WELL IS NOT TOO GOOD WILL
 PROBABLY DRILL REPLACEMENT WELL WITH SAME
 TYPE CONSTRUCTION AS E. WELL

Date AUGUST 27, 1981

[Signature]
 (Signature)

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

September 21, 1981

David Groneberg
South Shore, SD 57263

Dear Mr. Groneberg:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 3781-3 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

GENNY YOUNG
Staff Assistant

gy

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

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

*Transfer
to memo dated 10-29-81
JCO*

2478-3
3781-3

WATER RIGHTS DIVISION (605) 773-3352

May 21, 1982

David Groneberg
South Shore, South Dakota 57263

Dear Mr. Groneberg:

This letter is in regard to the status of Permit Nos. 2478-3 and 3781-3 listed in your name.

The inspection of the water use systems covered under Permit Nos. 2478-3, 3781-3 and 2223-3 was completed August 27, 1981. You were notified at that time that a \$50.00 fee was required before the permits could be issued a License. A fee for Permit No. 2223-3 will not be required as it is to be incorporated into Water License 3781-3.

You indicated at the time of inspection that the land had been sold, and as soon as the deal was completed, you would either notify this office as to the new owner(s) or would forward the transfer forms to the new owner. As of this date, we have not heard from you on this matter.

If the land sale has been completed, please notify this office as to who purchased the land. The new owners could then be contacted concerning the transfer and fees for inspection and issuance of the Water License.

Your assistance in this matter would be appreciated. Please advise.

Sincerely,

Genny Young
Water Rights Specialist

GY:mis

SOUTH DAKOTA Department of
Water & Natural Resources
Jou Foss Building Water Rights Division
Pierre, South Dakota 57501 605 773-3352

June 21, 1982

2478-3
3781-3

Russell Wiese
RR #1
Twin Brooks SD 57269

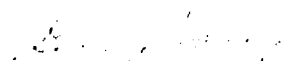
Dear Mr. Wiese:

This will acknowledge the receipt of a \$50.00 filing fee for the issuance and inspection of Permit No. 2478-3. Another \$50.00 filing fee will be required for Permit No. 3781-3.

As you requested in your letter dated June 17, 1982, enclosed are two notice of transfer forms for transferring Permit No. 2478-3 and No. 3781-3 to Wiese Brothers. Please check over, date, sign and have notarized before returning them to this office with a \$2.50 filing fee for each one. (\$5.00 total).

The total amount due for the inspection and issuance of Water License No. 3781-3 and for the transfer of both permits is \$55.00. If you have any questions, please contact this office.

Sincerely,



GENNY YOUNG
Water Rights Specialist

GYS:ks

NO. 3781-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____



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

NE $\frac{1}{4}$ Section 3, NW $\frac{1}{4}$ Section 2, T119N, R51W

formerly owned by David Groneberg

has been transferred to Wiese Brothers, RR #1, Twin Brooks SD 57269

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

Water Right Permit No. 3781-3 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 Office 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 GRANT) ss.

I, Wiese Bros. 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.

Wiese Bros.
(Signed)

Subscribed and sworn to before me this 2nd Day of July, 19 82.

Edwin Nelson
(Notary Public)

EDWIN NELSON
Notary Public, Grant County, S.D.
My Commission Expires July 13, 1987

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8887

PIERRE, July 6, 1932

Wiese Bros, Twin Brooks SD 57269

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and Issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing <u>transfer of Permit No. 3781-3</u>	2	50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH Cks

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8885

PIERRE, July 6, 1932

David Groneberg, RR 1, Box 7, South Shore SD 57263

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. <u>3781-3</u>		
Fee for inspecting Beneficial Use, and Issuing Water License No. <u>3781-3</u>	50	00
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH Cks

No. 3781-3

 **Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

July 7, 1982

Wiese Brothers
RR #1
Twin Brooks SD 57269

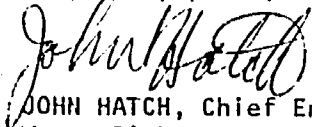
Gentlemen:

Enclosed herewith are, Water License No. 3781-3 and Certificate of Construction.

Water License No. 3781-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosures

NOTE: The applicable portions of Permit No. 2223-2 have been incorporated into this Water License. Our records now show you as owner of this Permit.

cc: David Groneberg
& copy of receipt for \$50

WNR-817-7/79
Transmittal of Water License

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3781-3

(1) WHEREAS, On the 16th day of February A. D. 19 77
David Gronberg

made Water Right Application No. 3781-3 for a permit to use no additional cubic feet per second of the waters of groundwater (one well)

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

(2) WHEREAS, On the 26th day of May A. D. 19 77
 Permit No. 3781-3, with a date of priority of February 16, 1977

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 26th day of May A. D. 19 82 and for the application to beneficial use of said water on or before the 26th day of May A. D. 19 85

WHEREAS, on the 27th day of August, 1981, Permit No. 2223-3 was incorporated into this Water License No. 3781-3 with a priority date of February 27, 1975, and

WHEREAS, on the 7th day of July, 1982 Water Right Permit No. 3781-3 was transferred to Wiese Brothers, Twin Brooks, South Dakota

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.75 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,
to irrigate the following land all in T119N, R51W

NE $\frac{1}{4}$ Section 3, 132 acre circle
NW $\frac{1}{4}$ Section 2, 132 acre circle

TOTAL 264 acres

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

_____ of Twin Brooks, South Dakota

the holder _____ and owner _____ of said permit No. 3781-3 a water right, dating from February 27, 1975

_____ to use of 3.75 cubic feet per second of the waters

of groundwater (two wells)

in the County of Codington and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at west well - 1320'E and 1350'S; East Well - 1320'S

and 2280' E* both from NW corner Section 2, T119N, R51W

and conducted to and upon portions of Sections 2 and 3, T119N, R51W more

fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3781-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 7th day of July A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3781-3

Water Diversion No. 3 Minnesota Water Water District
07020001

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Wiese Brothers

_____ the holder _____ of
Permit No. 3781-3, issued upon Application No. 3781-3, bearing date of priority of _____
February 27, 1975* authorizing the diversion of 4.2 cu. ft. per second of the waters of _____
groundwater (two wells) County of Codington, State of South Dakota at _____
west well - 1320'E and 1350'S; East well - 1320'S and 2280'E*, both from
NW corner Section 2, T119N, R51W
_____, for Irrigation

purposes, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.75 cu. ft. per second of water.

Date July 7, 1982

* The applicable portions of
Permit No. 2223-3 have been incorp
porated into this Water License.

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

TWIN BROOKS ALFALFA MILL, INC.

Processor of Alfalfa Pellets

P.O. Box 10
TWIN BROOKS, SD 57269

PHONE 605-432-4235

11/30/83

Water Management Board

Re: Did not receive Water Sheet for reporting
1983 Graduated for Permit #

2478-3

32.81-3

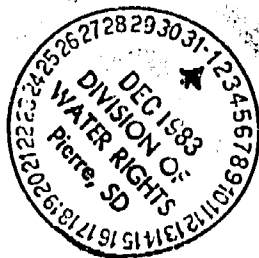
222.3 - 3

Sincerely:

Wine Bros by fg.

P.O. Box 10

F.D. Boy 10
Linn Barks. L.O. 57269





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

December 2, 1983

2478-3
3781-3

Wiese Brothers
PO Box 10
Twin Brooks SD 57269

Dear Sirs:

In reference to your letter dated November 30, 1983 indicating you had not received 1983 Irrigation Questionnaires for Water Right Nos. 2478-3, 2223-3 and 3781-3 enclosed are the appropriate forms.

Water Right Nos. 2223-3 was incorporated into Water Right No. 3781-3 upon licensing. Therefore, a questionnaire will not need to be filled out for No. 2223-3.

I apologize for not getting all of the data sheets to you earlier. If you have any questions, please advise.

Sincerely,

GENNY MCMATH
Natural Resources Engineer

GM:ks

enclosures

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

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

November 21, 1986

2478-3
3781-3

David Groneberg
South Shore,
South Dakota 57263

Dear Mr. Groneberg:

The 1986 irrigation questionnaire returned by Wiese Brothers of Twin Brooks indicated Water Right Nos. 2478-3 and 3781-3 should be transferred to you. I have enclosed partially completed transfer forms.

Please check over the forms, complete by signing in the presence of a notary and return them to our office. A \$2.50 filing fee for each transfer is required (total \$5.00). The filing fees should accompany the completed transfer forms to our office.

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 have also enclosed the 1986 irrigation questionnaires for you to complete. These should be completed and returned to us by December 31, 1986.

If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

GM:ks

enclosures

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

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

WATER RIGHTS DIVISION
(605) 773-3352

2478-3
(3781-3)

December 18, 1986

David Groneberg
RR 1, Box 7
South Shore, South Dakota 57263

Dear Mr. Groneberg:

This letter will acknowledge receipt of the 1986 Irrigation Questionnaires for Water Right Nos. 2478-3 and 3781-3, and also the "Notice of Transfer" for each.

The transfers can not be completed without the required filing fees of \$2.50 each (total of \$5.00). Upon receipt of the \$5.00 filing fees from you, Water Right Nos. 2478-3 and 3781-3 can be transferred from Wiese Brothers to you.

If you have any questions, please contact our office.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Dec 8 - 86

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

NE 1/4 Section 3 and NW 1/4 Section 2, T119N, R51W

formerly owned by Wiese Brothers

has been transferred to David Groneberg, South Shore SD

(please include complete mailing address)

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

Water Right Permit No. 3781-3 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)
) ss.
County of Codington)

I, DAVID GRONEBERG 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.

David Groneberg
(Signed)

Subscribed and sworn to before me this 8th Day of December, 1986.

My Commission Expires:
March 18, 1991

(SEAL)

Doris A. Stusiak
(Notary Public)
Doris A. Stusiak,
State of South Dakota

WNR-820-9/83
Notice of Transfer of Water Permit



RECEIPT

Division of Water Rights

A10702

South Dakota Department of Water and Natural Resources

January 12, 1937

Pierre, _____, 19____

RECEIVED OF David Gronenberg, RRI, Box 7, South Shore, SD 57263

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3781-3</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 John Hatch
Chief Engineer JOHN HATCH

WATER RIGHTS DIVISION
(605) 773-3352

January 14, 1987

David Groneberg
RR 1, Box 7
South Shore, South Dakota 57263

Dear Mr. Groneberg:

Enclosed are receipt Nos. 410701 and 410702 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 2478-3 and 3781-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

MS/
Enc.



Department of Water & Natural Resources

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

October 21, 1987

2478-3
3781-3

James D Arthur
RR #1 Box 56
Clark, SD 57225

Dear Mr. Arthur:

David Gronenberg, South Shore has notified our office that you now own the land covered under Water Right Nos. 2478-3 and 3781-3. I have enclosed a copy of these water rights for your records.

In order for the water rights to be changed over to your name, it will be necessary for you to file a "Notice of Transfer" with our office for each. Enclosed are partially completed transfer forms. Please check over the forms, sign and have them notarized. Upon completion of these forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

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.

Also enclosed are the 1987 Irrigation Water Use Questionnaires and a postage paid return envelope. These forms are for use in reporting any irrigation done on the lands during 1987. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire to be submitted each year. Please complete the enclosed questionnaires as accurately as possible and return them by November 30, 1987.

If you have any questions, or need assistance in completing the transfer forms or irrigation questionnaires, please contact us.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

 **Department of
Water & Natural Resources**

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

May 4, 1988

Second Notice
Permit Nos. 3781-3
2478-3
2333-3

James Arthur
RR #1 Box 56
Clark, SD 57225

Dear Mr. Arthur:

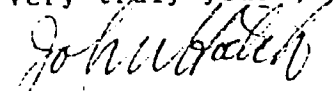
On October 1, 1987, notice was sent to you concerning the transfer of Water Right No. 2333-3 listed in the name of Richard and Michael Makens. The water right authorizes irrigation of 500 acres in Section 34, T120N, R51W. On October 21, 1987, notice was sent to you concerning the transfer of Water Right Nos. 3781-3 and 2478-3 in the name of David Groneberg which covers irrigation of lands in the NE 1/4 Section 3, NW 1/4 Section 2, T119N, R51W and the SW 1/4 Section 35, T120N, R51W. To date, we have not heard from you regarding these transfers.

Enclosed are partially completed transfer forms. Please sign, have notarized and return them to this office with a required filing fee of \$2.50 each (total of \$7.50). The water rights can then be transferred to your name. If you are not the present owner of the land covered under Water Right Nos. 2333-3, 2478-3 and 3781-3, please notify our office. It is very important that ownership records be kept current.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,


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

enclosures



SOUTH DAKOTA
Department of
Water & Natural Resources

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

September 7, 1988

2333-3
2478-3
3781-3

Jim Arthur
RR #1 Box 56
Clark, SD 57225

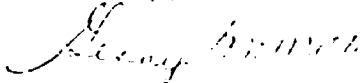
Dear Mr. Arthur:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 2333-3, 2478-3 and 3781-3. The forms should be checked over and signed in the presence of a notary public by the owner of the land. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 for each (total of \$7.50). The water rights will then be transferred to the proper name(s).

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 checked through our files, after your last visit to our office, and could not find that these transfers were already filed. If you have any questions, please contact us.

Sincerely,



PENNY MCNATH
Natural Resources Analyst
605 773-3352

enclosure



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

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

November 21, 1988

3781-3
2478-3
2333-3

John & Joe Arthur
RR #1 Box 56
Clark, SD 57225

Dear Sirs:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 3781-3, 2478-3 and 2333-3. Water Right Nos. 3781-3 and 2475-3 are currently listed in the name of David Groneberg. Water Right No. 2333-3 is listed in the names of Richard and Michael Maken.

Please complete the forms and sign them in the presence of a notary public. Upon completion, return the transfer forms to our office with a required filing fee of \$2.50 each (total of \$7.50). The water rights will be transferred to your names upon receipt of the completed forms and filing fees in our office.

If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



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

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

February 6, 1989

2478-3
2333-3
3781-3

Joe & John Arthur
RR #1 Box 7
South Shore, SD 57263

Dear Sirs:

I am writing to you in response to the 1988 irrigation questionnaires you submitted to our office for Water Right Nos. 2333-3, 2478-3 and 3781-3. You indicated on the forms that there is an ownership and address change.

We are aware that the water rights need to be transferred and have sent several transfer forms to James Arthur for use in filing the ownership changes. To date, we have not received the forms.

Enclosed is an additional set of partially completed "Notice of Transfer" forms. Please check them over, sign in the presence of a notary and return the forms to our office. A \$2.50 filing fee is required for filing each transfer.

Please submit a total of \$7.50 when returning the transfer forms. Upon receipt of the completed forms and filing fees, Water Right Nos. 2333-3, 2478-3 and 3781-3 will be transferred to you.

If you have any questions, please contact me.

Sincerely,

Genny McNath

GENNY MCNATH
Natural Resources Analyst
(605) 773-3352

enclosures



 **Department of
Water & Natural Resources**

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

September 14, 1989

2333-3

2478-3

3781-3

John & Joe Arthur
RR #1 Box 56
Clark, SD 57225

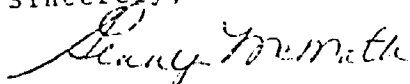
Dear Sirs:

In response to a telephone conversation with Mrs. Joe Arthur, September 13, 1989, enclosed are additional transfer forms for use in filing ownership changes on Water Right Nos. 2333-3, 2478-3 and 3781-3.

The forms should be completed, and then signed in the presence of a notary. Upon completion of the forms, return them to us with a \$2.50 filing fee for each (total of \$7.50).

In order for the 1989 irrigation questionnaires to be mailed to you, as the "owner(s)", the enclosed transfer forms and filing fees must be submitted to our office no later than September 29, 1989. If you have any questions, please contact me.

Sincerely,



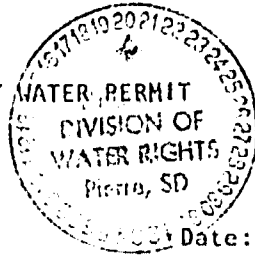
GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



NO. 3781-3

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 2-16-89

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

264 acres - NE $\frac{1}{4}$ Section 3, NW $\frac{1}{4}$ Section 2, T119N, R51W

formerly owned by David Groneberg

has been transferred to Joe & John Arthur P.B.I. Box 7 South Shore S.D. Ark
(please include complete mailing address) 57263
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3781-3 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.

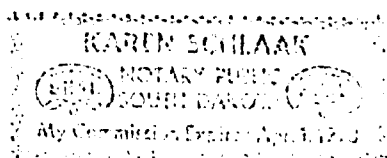
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Codington) ss.

I, Joe Arthur, being first duly sworn on my oath despose 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.

Joe Arthur
(Signed)

Subscribed and sworn to before me this 20th Day of December, 1989.



Karen Schlaack
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412003

Pierre, December 20, 1989

RECEIVED OF Joe Arthur, RR 1, Box 12, Garden City SD 57236

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 _____ for Water Permit No. 3791-3	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 John Hatch
Chief Engineer JOHN HATCH ks



February 1, 1991

JOE, JOHN ARTHUR
RR1 BOX 56
CLARK SD 57225

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 2333-3; 2478-3; & 3781-3;

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 2333-3; 2478-3; & 3781-3;. The request for the chemigation report(s) was dated January 4, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

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

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 2333-3; 2478-3; & 3781-3; until either the 1990 chemigation report(s) is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 8, 1991

JOE, JOHN ARTHUR
RR1 BOX 56
CLARK SD 57225

Dear Mr. Arthur:

I am writing to acknowledge receipt of your 1990 chemigation report for Water Right No.(s) 2333-3; 2478-3; (3781-3) 5382-3; & 5237-3. You may disregard the February 1, 1991, Notice of Failure to report chemical use for 1990. With receipt of the chemigation report, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall,
Natural Resources Engineer IV
Water Rights Division

3781-3



3781-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

NOTICE

TO: JOE, JOHN ARTHUR
RR1 BOX 56
CLARK, SD 57225

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3;
3781-3; 5382-3;

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3; 5382-3;. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the 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). 2333-3; 2478-3; 3781-3; 5382-3; in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to April 1, 1994, 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 chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



February 16, 1994

JOE & JOHN ARTHUR
RR #1 BOX 7
SOUTH SHORE SD 57263

3781-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 2478-3 & 3781-3, 2333-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2478-3 & 3781-3, 2333-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2478-3 & 3781-3 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) 2333-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 2333-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



3781-3

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

March 23, 1994

2333-3

2478-3

3781-3

Joe Arthur
RR #1 Box 7
South Shore, SD 57263

Dear Mr. Arthur:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires and chemical reporting forms for Water Permit Nos. 2333-3, 2478-3 and 3781-3. You may disregard the February 16, 1994, Notice of Violation of Water Permits and 1993 Irrigation Questionnaire Requirements and also the Notice of Failure to Report Chemical Use.

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
Environmental Scientist
Water Rights Division
(605) 773-3352

Note: We still have not received a 1993 irrigation questionnaire and chemical reporting form for Water Permit No. 5382-3 (listed under Joe & John Arthur)



3781-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-2161

February 7, 1995

JOE/JOHN ARTHUR
RR 1 BOX 7
SOUTH SHORE SD 57263

NOTICE

RE: Violation of Water Permit No(s) 2478-3 & 3781-3, 2333-3 & 5382-3 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2478-3 & 3781-3, 2333-3 & 5382-3. The request for the Questionnaires was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S. Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

NOTICE

TO: JOE, JOHN ARTHUR
RR1 BOX 7
SOUTH SHORE, SD 57263

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3;
3781-3; 5382-3

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A was dated November 3, 1994. Our records indicate that we have not received the 1994 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3; 5382-3. The Water Management Board has directed that owners of water permits who have not submitted the 1994 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 8, 1995, in the Crown Room, 3RD Floor, Kings Inn Best Western Convention Center, 220 South Pierre Street, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the 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). 2333-3; 2478-3; 3781-3; 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to March 3, 1995, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (505 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 3, 1995, you will no longer be in violation and your name will be deleted from the Board agenda.



3781-3

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

March 21, 1995

2333-3	2478-3
3781-3	5382-3

Joe Arthur
PO Box 578
South Shore, SD 57263

Dear Mr. Arthur:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires and chemical reporting forms. You may disregard the February 7, 1995, Notice of Violation of Water Permit and the Requirements to Submit the 1994 Irrigation Questionnaires and also the Notice of Failure to Report Chemical Use.

The questionnaires and chemical reporting forms were received in our office prior to the Water Management Board meeting and your name was deleted from the agenda.

Your water permits or rights are currently listed in the name of Joe and John Arthur. You made notations on a couple of your irrigation questionnaires changing the address from RR #1 Box 7 to Post Office Box 578, South Shore. The addresses have been changed, however, I was not able to determine from your notes whether the water rights should be transferred from Joe and John Arthur to Joe Arthur or whether you were only making an address change.

If you want the actual names on the water rights/permits to change, I will need to send you forms for use in filing an ownership change. These forms are available upon request.

If you have any questions, please contact me.

Sincerely,

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

3781-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE, SD 57263 0578

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

SUBJECT: Violation of Water Permit No(s) 2333-3, 2478-3, 3781-3 & 5382-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2333-3, 2478-3, 3781-3 & 5382-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2478-3, 3781-3 & 5382-3 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) 2333-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 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) 2333-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3, 3781-3 & 5382-3 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 March 1, 1996, 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.



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: JOE/JOHN ARTHUR
 PO BOX 578
 SOUTH SHORE SD 57263

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.



3781-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 1996

Joe & John Arthur
PO Box 578
South Shore, SD 57263

Dear Sirs:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and chemigation reports. You may disregard the January 30, 1996, Notice of Violation of Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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**

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

February 4, 1997

NOTICE

TO: JOE/JOHN ARTHUR
PO BOX 578
SOUTH SHORE SD 57263

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3; 3781-3 & 5382-3

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3 & 5382-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3 & 5382-3. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 2333-3; 2478-3; 3781-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.



February 4, 1997

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE, SD 57263 0578

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

SUBJECT: Violation of Water Permit No(s) 2333-3 & 5382-3, 2478-3 & 3781-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2333-3 & 5382-3, 2478-3 & 3781-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

3781-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1997

2333-3

2478-3

3781-3

5382-3

Joe & John Arthur
PO Box 578
South Shore, SD 57263-0578

Dear Sirs:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notices of Violation of Water Permits, the 1996 Irrigation Questionnaire Requirements and Failure to Report Chemical Use.

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

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

Sincerely,

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



January 9, 1998

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: JOE/JOHN ARTHUR, PO BOX 578. SOUTH SHORE, SD 57263 0578
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. 2333-3 & 5382-3, 2478-3 & 3781-3. 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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.

3781-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE SD 57263

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

RE: Requirement to Report 1997 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 2333-3, 2478-3, 3781-3 & 5382-3 was dated October 17, 1997. Our records indicate that we have not received your 1997 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1997 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application

The hearing will be held at 9:45 am, February 25, 1998, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the 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). 2333-3, 2478-3, 3781-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 20, 1998, contact the Water Rights Program, 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 chemigation report(s) is(are) received by this office prior to February 20, 1998 you will no longer be in violation and your name will be deleted from the Board agenda.

3781-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

2333-3

2478-3

3781-3

5382-3

Joe & John Arthur
PO Box 578
South Shore, SD 57263-0578

Dear Sirs:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires and chemical reporting forms. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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

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

Sincerely,

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



3781-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE, SD 57263 0578
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 2333-3 & 5382-3, 2478-3 & 3781-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 1:50 pm, March 1, 2000 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



3781-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2000

Joe & John Arthur
PO Box 578
South Shore, SD 57263-0578

RE: Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3

Dear Sirs:

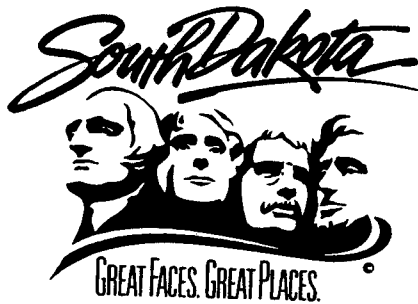
I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



3781-3

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 14, 2004

NOTICE

TO: JOE/JOHN ARTHUR, 46409 154TH ST, SOUTH SHORE, SD 57263

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. 2333-3 & 5382-3, 2478-3 & 3781-3. 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

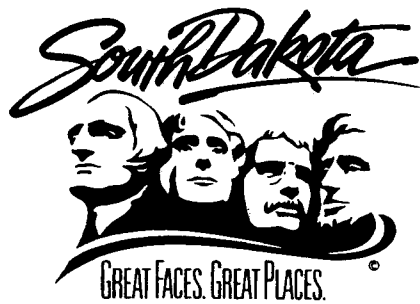
The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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.



3781-3

**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 27, 2004

2333-3
2478-3
3781-3
5382-3

Joe & John Arthur
46409 154th St
South Shore SD 57263

Dear Sirs:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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



378/-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: JOE/JOHN ARTHUR, 46409 154TH ST, SOUTH SHORE, SD 57263

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2006

2333-3
2478-3
3781-3
5382-3

Joe & John Arthur
46409 154th St
South Shore SD 57263

Dear Sirs:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352

FILE DOCUMENTATION (3871-3, 3871A-3 & 3871B-3)

Water Right No. 3871-3 authorizes diversion of 3.55 cfs from one well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T89N, R49W to irrigate 281 acres located in portions of Section 4, T89N, R49W.

On April 7, 2016, Dan and David Trudeau filed an ownership change for portions of the water right. The remaining land is owned by Rodney Lieber.

A map was submitted along with the transfer form from "Trudeau's" indicating the acreage they now own with a note stating they have the irrigated portion and the non-irrigated portion belongs to Rodney Lieber. Using a combination of the licensing map and the 2014 aerial imagery (done by Eric Gronlund), the acreage now owned by Dan and David Trudeau is:

Based on a total of 3.55 cfs, the prorated diversion authority for 159 acres is 2.01 cfs	Section 4, T89N, R49W	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	36 acres
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	20 acres
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	23 acres
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	1 acre
	Total		159 acres

On September 20, 2016, I spoke with Rodney Lieber concerning the land he owns and his intent towards the water right. He stated that up until the 2011 flood, the land had been irrigated. He has since placed the land in the Conservation Reserve Program. He also indicated when the land comes out of CRP, he has a well in the SE $\frac{1}{4}$ Section 4 under Water Right No. 5989-3 (also in CRP) that he will utilize to irrigate the acreage he owns under No. 3871-3.

I discussed with him the need to file an ownership change for his portion of 3871-3. The water right will be divided and reissued to reflect separate ownership. Irrigation questionnaires will not be mailed to him until the land comes out of CRP. At that time, he will need to file an application for a change in diversion point to allow use of the well under No. 5989-3 to irrigate the acreage described in under No. 3871B-3. No. 3871B-3 will list the following acreage:

Based on a total of 3.55 cfs, the prorated diversion authority for 122 acres is 1.54 cfs	Section 4, T89N, R49W	SW $\frac{1}{4}$ NE $\frac{1}{4}$	20 acres
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	1 acre
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	34 acres
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	23 acres
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	11 acres
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
	Total		122 acres



Genny McMath
Water Rights Program
September 20, 2016



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

OCT 11 2016

3871-3
3871A-3

Dan & David Trudeau
33060 480th Ave
Jefferson SD 57038

Dear Sirs:

Enclosed is Water License No. 3871A-3. Due to the ownership changes filed, Water Right No. 3871-3 was divided and reissued to reflect separate ownership as follows:

- **No. 3871A-3 – Dan & David Trudeau, 33060 480th Ave, Jefferson SD 57038** authorizing diversion of 2.01 cfs from one well located SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4 to irrigate 159 acres in portions of the NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 4, all in T89N, R49W;
- **No. 3871B-3 – Lieber Land Holdings LLC, 310 N Derby Lane #380, N Sioux City SD 57049** authorizing diversion of 1.54 cfs from one well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4 to irrigate 122 acres in portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, all in T89N, R49W.

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. 3871A-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.

Your receipt in the amount of \$50 which you paid for filing the ownership change is enclosed. If you have any questions, please contact our office.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures