

3805A-3

PAID

FEB 19 2019

Ck# 4736

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

FEB 19 2019

WATER RIGHTS
PROGRAM

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

No. 3805-3Date: Feb 12, 2019I/We request that Water Right No. 3805-3formerly owned by: M K or Ruth Rundell

be transferred to: (name & address)

MARY DEMOREST
7190 SEDGEBROOK DR W, STANLEY, NC 28164Telephone No. 641-208-4129

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

~~283 acres - S 1/4 NW 1/4, S 1/4 NE 1/4, NE 1/4 SW 1/4, N 1/4 SE 1/4, SE 1/4 SE 1/4 Section 3, T98N, R53W~~200.6 acres TRACT 1A RUNDALL'S ADDITION, PARCEL D8000-09853-031-10

I/We understand that the validity of Water Right No. 3805-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We MARY DEMOREST, the new owner, certify that the above information is true and correct.

Mary Demorest
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 19, 20 19

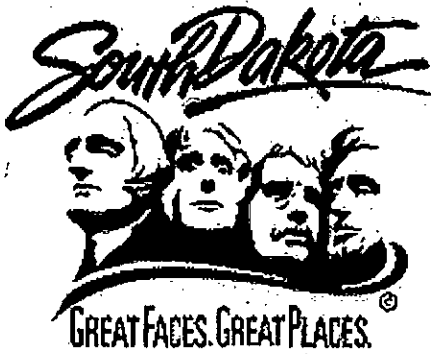
RECEIVED OF Mary Demorest 7190 Sedgebrook Dr. W. Stanley NC 28164

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	50	00
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>3805-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **09043**

By Jeanne Goodman
Chief Engineer *cm*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 20, 2019

3805-3

Mary Demorest
7190 Sedgebrook Dr W
Stanley NC 28164

Dear Ms. Demorest:

Thank you for sending in the transfer form and filing fee for changing ownership on Water Right No. 3805-3.

On the form, you crossed out the legal description and wrote in Tract and parcel numbers. The water right is specific to the legal descriptions that were on the form. I have enclosed a copy of the map that went with the water right and outlined the portion authorized for irrigation.

Please take a look at the map and let me know if you own the entire cross hatched area. If you own the entire area, we can go ahead and transfer the water right accordingly but will need confirmation from you. If you do not own all of the land, please circle the area you do not own and return the map to us. If possible include the names of the other owners if there are any.

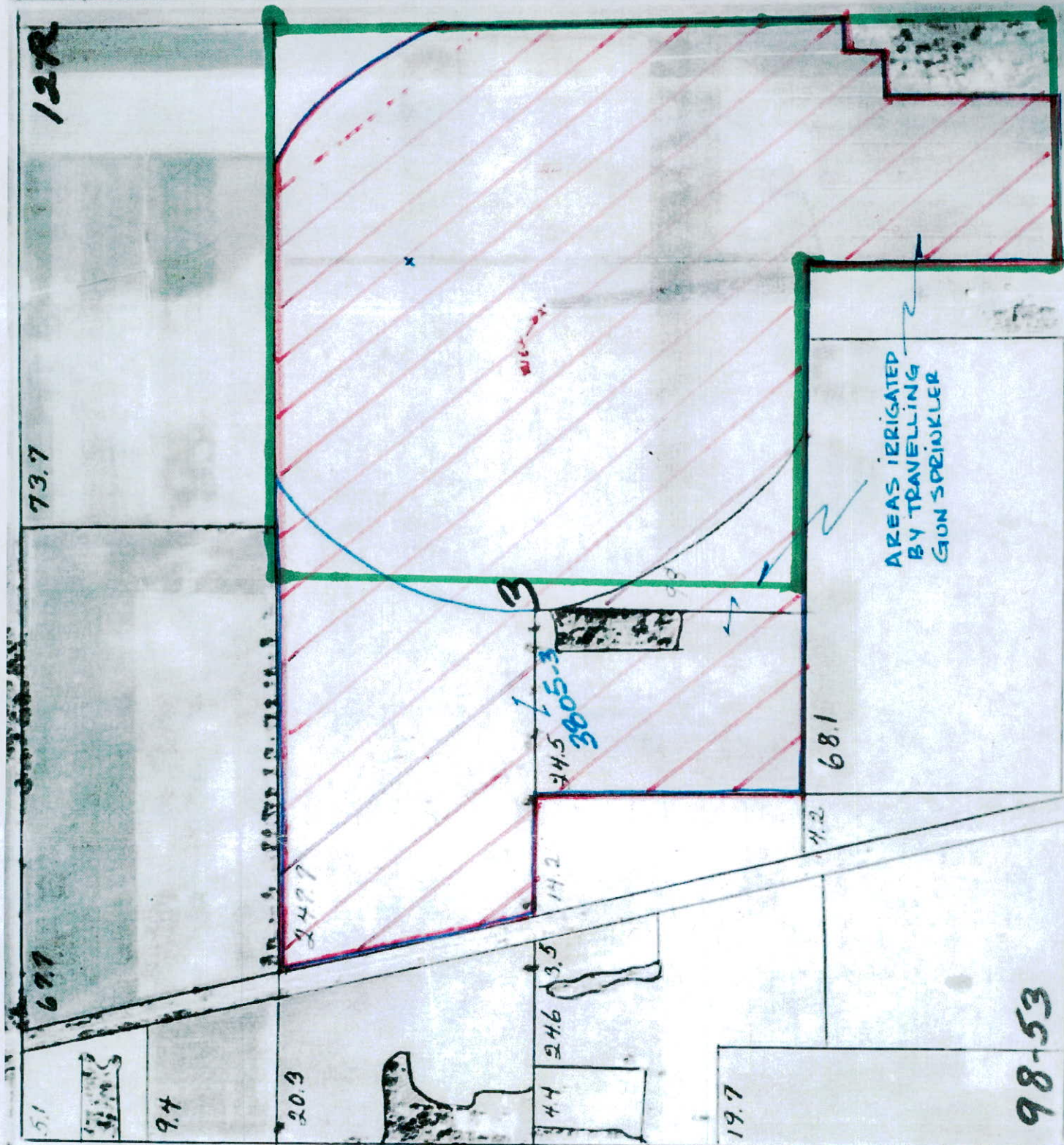
I am enclosing a postage paid envelope for your reply. Thank you in advance.

Sincerely,

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

enclosures: map, envelope

NOT TO SCALE



RECEIVED

MAR 04 2019

WATER RIGHTS
PROGRAM

February 25, 2019

Genny McMath
Water Rights Program

Dear Ms. McMath,

Sorry for the confusion, we no longer own the dryland portion of the red cross hatched area and we now own the land as indicated by a green border on the drawing you enclosed. This land is now owned by the D. Wayne and Mary R. Demorest Trust. There has been no change in the acres of land under irrigation, just division of dryland from a squared off version of the irrigated land. The dryland portion sold at auction and I am not aware of the buyer.

This property is also indicated in yellow in the enclosed aerial map and is 200.69 acres after a corrected survey and I have enclosed a plat of Tract 1A of Rundell's Addition. I am also enclosing a copy of the real estate assessment notice which includes a land description.

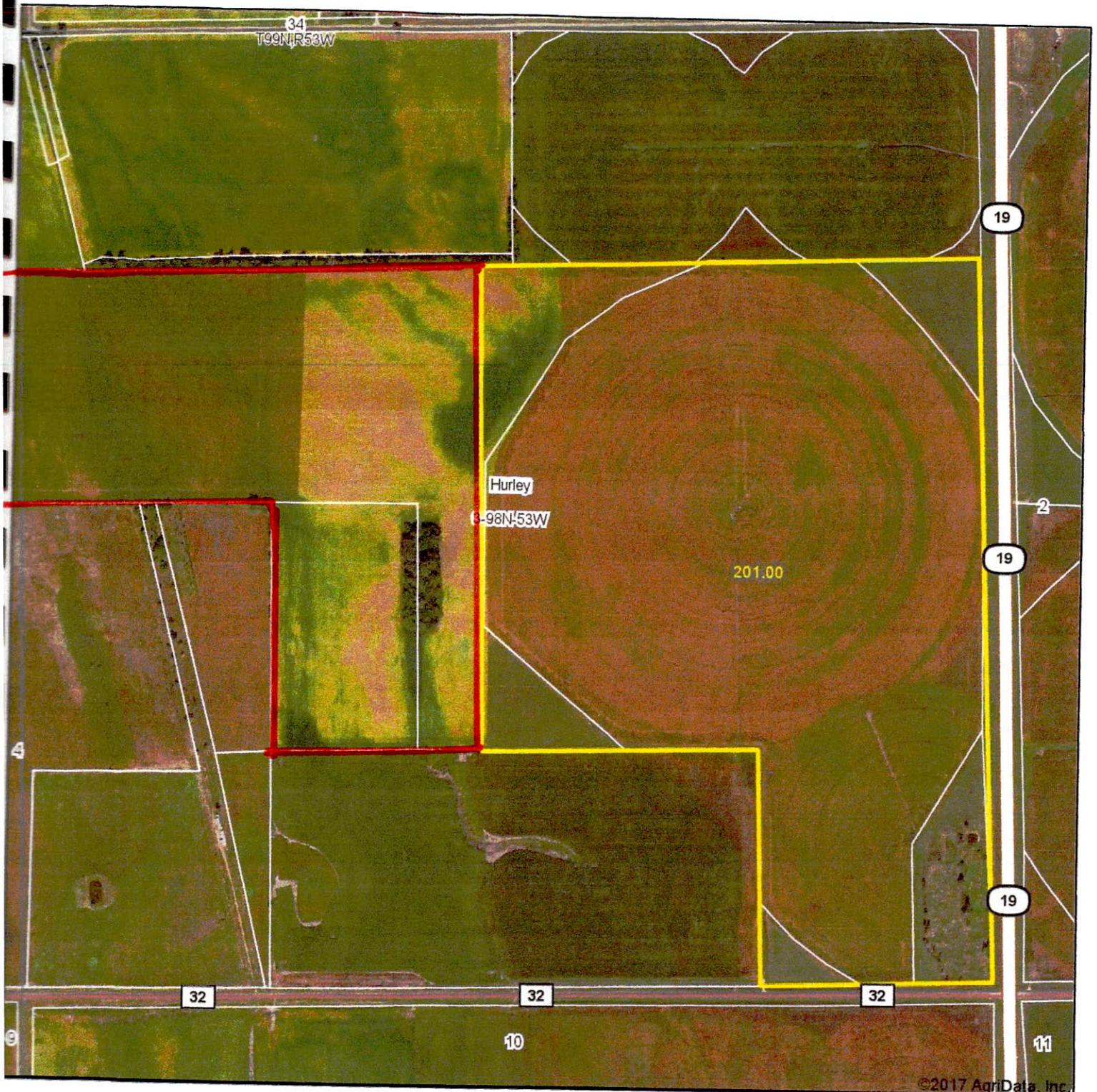
If I can answer any further questions please contact me at 641-208-4129 or by email at wmdemorest@gmail.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Demorest", with a stylized flourish at the end.

D. Wayne Demorest, trustee

Aerial Map



©2017 AgriData, Inc.

map center: 43° 20' 10.17, -97° 5' 29.63

0ft 827ft 1654ft

Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
© AgriData, Inc. 2017 www.AgriDataInc.com

3-98N-53W
Turner County
South Dakota

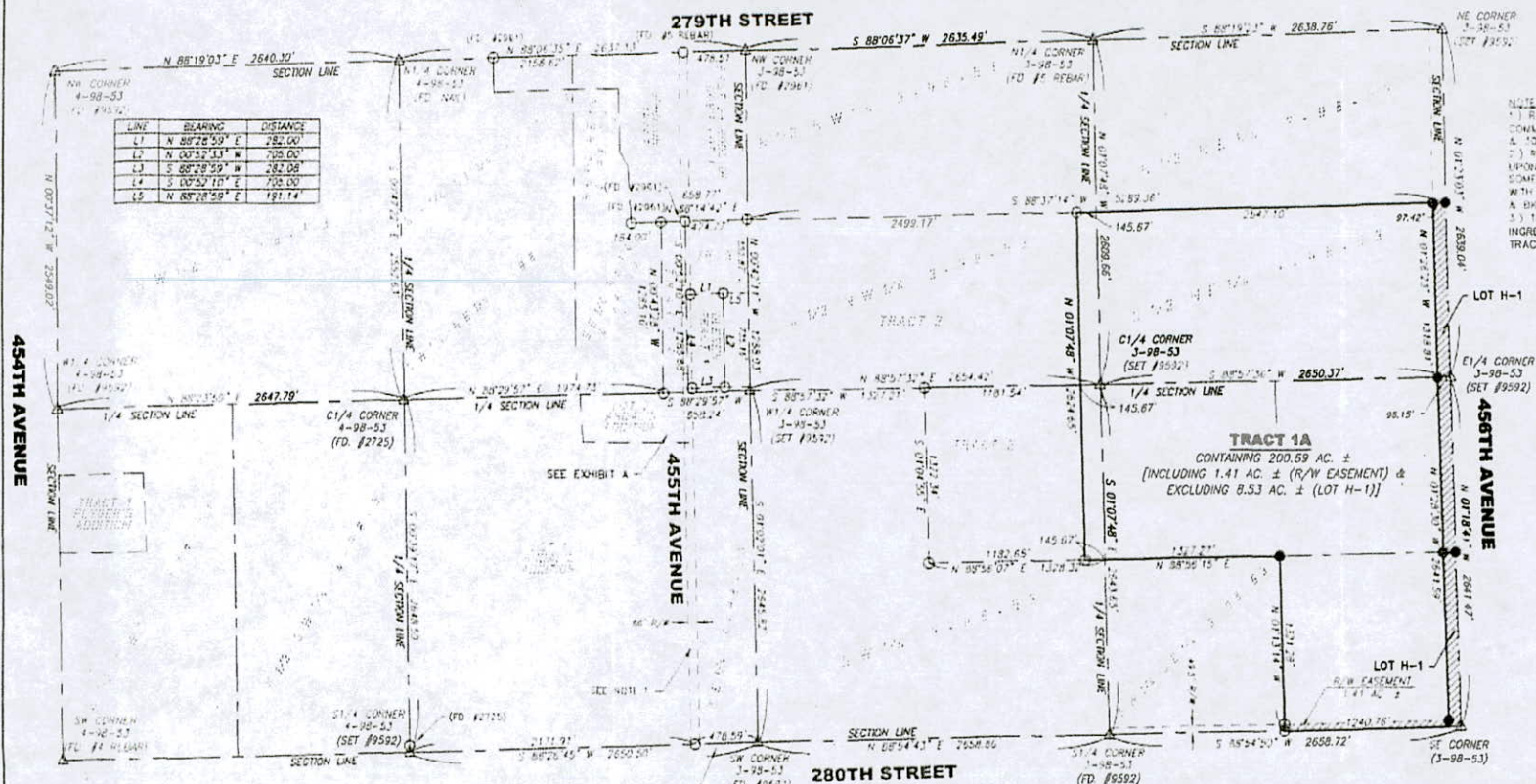


3/4/2017

Field borders provided by Farm Service Agency as of 5/21/2008.

PLAT OF TRACT 1A OF RUNDLELL'S ADDITION

AN ADDITION IN SECTION 3, TOWNSHIP 98 NORTH, RANGE 53 WEST OF THE 5TH PRINCIPAL MERIDIAN, TURNER COUNTY, SOUTH DAKOTA

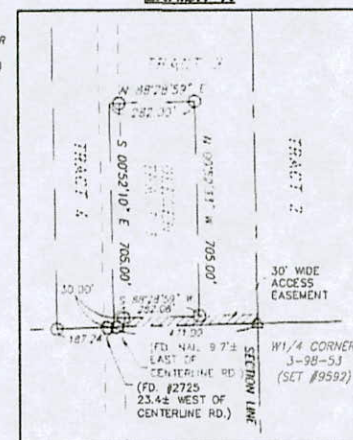


NOTES:
 1) ROAD WAS DEDICATED BY COMMISSIONER'S RECORD A PAGE 289 & 106
 2) ROAD WAS RE-ESTABLISHED BASED UPON COMMISSIONER'S RECORD AND SOME DIMENSIONS ARE IN CONFLICT WITH PREVIOUS PLAT (R/W RD 345 & BK 7, PG 226)
 3) THERE IS A 30' WIDE INGRESS/EGRESS EASEMENT FOR TRACT 2 (SEE EXHIBIT A)



0 900'
 SCALE: 1"=900'

EXHIBIT A



LEGEND:

- △ SECTION CORNER
- SET 5/8" REBAR W/CAP #9592
- FD. #9592 (UNLESS NOTED OTHERWISE)
- (R) RECORD INFORMATION
- AC. ACRES
- S.F. SQUARE FEET
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- M.A.E. MUTUAL ACCESS EASEMENT
- R/W RIGHT-OF-WAY
- R.T.C. RECORDS OF TURNER COUNTY
- N.T.S. NOT TO SCALE
- PREVIOUSLY PLATTED LINE
- EASEMENT LINE

THIS PLAT IS TO CORRECT AN ERROR ON BOOK 8 PAGE 213 OF PLATS

NOTES:

BASIS OF BEARINGS IS UTM-ZONE 14

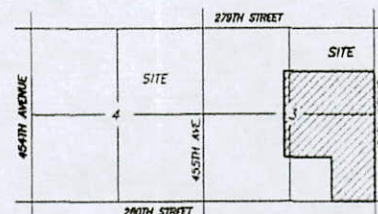
THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

EASEMENTS OF RECORD WERE NOT RESEARCHED AND ARE NOT SHOWN ON THE PLAT.

PREPARED BY:

Midwest
 Land Surveying, Inc.

Land Surveying and GPS Consulting
 211 E. 14th Street, Suite 100
 Sioux Falls, South Dakota 57104
 Phone: (605) 339-8901 FAX: (605) 274-8951



AREA MAP N.T.S.

SECTION 3 & 4, T98N, R53W
 5TH P.M., TURNER COUNTY, SD



SHEET 1 OF 2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 28, 2019

3805-3

Richard Horton
45446 285th St
Hurley SD 57036

Dear Mr. Horton:

I am writing in regard to a pending ownership change for the land you irrigate under Water Right No. 3805-3. Mary Demorest filed the ownership change for the irrigated land and indicated the remainder of the land was under different ownership. I later found out that Craig Flyger owned the west portion of the land.

When an ownership change is received for only part of the land covered, the water right is divided and reissued based on the ownership change. In the case of No. 3805-3 it will be reissued as No. 3805A-3 (Demorest) and No. 3805B-3 (Flyger).

I have enclosed the draft licenses for each one and please note they are only "drafts". I still have to proof read the various numbers and ensure everything is correct. I also included a copy of the map showing the land and a copy of the original inspection report which described the system.

My questions to you are about the diversion point locations. I want to ensure they are still being used and are where they were originally licensed for. If you get a chance in the next few days, please take a look at the materials I enclosed and then give me a call and we can talk about it. I am here Monday-Thursday from 7am-5pm and then on Friday's from 7am-9am. Thank you in advance.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-5455
email: genny.mcmath@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

3805A-3

Mary Demorest
7190 Sedgebrook Dr W
Stanley NC 28164

Dear Ms. Demorest:

Enclosed is your Reissued Water License No. 3805A-3.

Based on the ownership change you filed, Water Right No. 3805-3 was divided and reissued to reflect separate ownership as follows:

- **No. 3805A-3, Mary Demorest** authorizing irrigation of 189 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 3, all in T98N, R53W;
- **No. 3805B-3, Craig Flyger** authorizing irrigation of 94 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, all in T98N, R53W;

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well 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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 3805A-3
(DIVISION OF WATER LICENSE NO. 3805-3 INTO 3805A-3 & 3805B-3)

(1) M K Rundell was issued Water License No. 3805-3, September 19, 1980 for a water right to divert 3.00 cubic feet of water per second (cfs) from ground water (two wells and a dugout), Turner County, South Dakota for irrigation purposes. Water Right No. 3805-3, with priority dates of May 4, 1956 and March 23, 1977 authorizes irrigation of 283 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T98N, R53W.

On February 19, 2019, Mary Demorest filed an ownership change for a portion of the land described in the water right. Based on the ownership change, Water Right No. 3805-3 is being divided and reissued to reflect separate ownership as follows:

- **No. 3805A-3, Mary Demorest, 7190 Sedgebrook Drive West, Stanley NC 28164** authorizing diversion of 2.00 cfs from two wells and a dugout located in the E $\frac{1}{2}$ Section 3 to irrigate 189 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 3, all in T98N, R53W;
- **No. 3805B-3, land owned by Craig Flyger (no ownership change filed)** authorizing diversion of 1.00 cfs from two wells and a dugout located in the E $\frac{1}{2}$ Section 3 to irrigate 94 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, all in T98N, R53W;

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law and is entitled to divert 2.00 cubic feet of water per second for beneficial use. The location of the diversion points are:

- Well #1 – a point 1,473' N 63° from the E $\frac{1}{4}$ corner Section 3, T98N, R53W;
- Well #2 – N 30° W 185 rods from the SE corner Section 3, T98N, R53W;
- Dugout - N 12° W 50 rods from the SE corner Section 3, T98N, R53W.

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

T98N, R53W Section 3	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3 acres	March 23, 1977 priority date*
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres	May 4, 1956 priority date*
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	35 acres	May 4, 1956 priority date
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	3 acres	March 23, 1977 priority date
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres	March 23, 1977 priority date
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39 acres	March 23, 1977 priority date
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres	March 23, 1977 priority date
Total		189 acres	

* May 4, 1956 priority date was established under Water Right No. 191-3 (incorporated into No. 3805-3 at the time of licensing in 1980)

* March 23, 1977 priority date was established under No. 3805-3

continued

Reissued Water License No. 3805A-3

Page 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Mary Demorest, 7190 Sedgebrook Drive West, Stanley NC 28164 the holder and/or owner of Water Right No. 3805A-3 is issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from ground water (two wells and a dugout) with priority dates of May 4, 1956 (1.14 cfs) and March 23, 1977 (0.86 cfs) from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 3805-3 and subject to the following qualifications:

- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- This Water Right is subject to the irrigation water use questionnaire being submitted each year. *(The originating Water Right No. 3805-3 was amended March 11, 2010 to include this qualification.)*



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 04 2019

date





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: RICHARD HORTON, MGR, 45446 285TH ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3805A-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3805A-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) 3805A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

c: MARY DEMOREST, 7190 SEDGEBROOK DR W, STANLEY NC 28164

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 24, 2022

3805A-3

Richard Horton
1202 Washington St
Hurley SD 57036

Dear Mr. Horton:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 3805A-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 19, 2024

NOTICE

TO: RICHARD HORTON, MGR, 1202 WASHINGTON ST, HURLEY, SD 57036 2062

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3805A-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3805A-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, 2024 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) 3805A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** 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 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: LUQGFZ**

MARY DEMOREST, 7190 SEDGEBROOK DR W, STANLEY NC 28164

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 16, 2024

3805A-3

Richard Horton
1202 Washington St
Hurley SD 57036

Dear Mr. Horton:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 3805A-3. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

cc: MARY DEMOREST, 7190 SEDGEBROOK DR W, STANLEY NC 28164



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: RICHARD HORTON, MANAGER, 1202 WASHINGTON ST, HURLEY, SD 57036 2062

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3805A-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3805A-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) 3805A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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 questionnaire(s) 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: CXDNWQ**

cc: MARY DEMOREST, 7190 SEDGEBROOK DR W, STANLEY NC 28164

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

3805A-3

Richard Horton
1202 Washington St
Hurley SD 57036

Dear Mr. Horton:

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). 3805A-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

cc: MARY DEMOREST, 7190 SEDGEBROOK DR W, STANLEY NC 28164