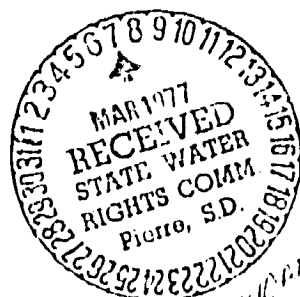


Water Right Number 3827-3

1. Considered 5-25, 1 77
2. Name of Applicant MARLIN D. WARKENTHEIN
3. Post Office Address WILLOW LAKE
4. Amount of water claimed 2.28
5. Source of water supply 66' DEEP WELL.
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in CLARK County
about 2 1/2 N, 3 W Miles of WILLOW LAKE
8. Proof of Publication Received 5-13-77
Not received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:

Map No. 3089-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be Filled by the Engineer for the W. H. 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 Marlin D. Warkenthien
 Postoffice address Willow Lake, State South Dakota
 If a corporation show date and place of incorporation NA
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Marlin D. Warkenthien Irrigation Project # 1
 4. Amount of water claimed (cubic feet per second) 2.28
 5. Source of water supply Well
 6. Location of point of diversion 850 Ft. North & 40 Ft. East of the SW corner of Sec. 21-Twp. 11h R 57
 County Clark
 7. Annual period or periods during which water is to be used April 1 through Nov. 1
 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 156

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 Twp. 11h R 57	39		
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 Twp. 11h R 57	38		
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 Twp. 11h R 57	40		
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 Twp. 11h R 57	39		

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 Watertown Public Opinion
 12. Principal Features of the Proposed Water Supply System:

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

Well & pumping system

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

Pipeline

C. Works proposed to apply water to beneficial use.

Well, pumping system & sprinkler irrigation system

Estimated Total Cost \$ 45,000.00

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

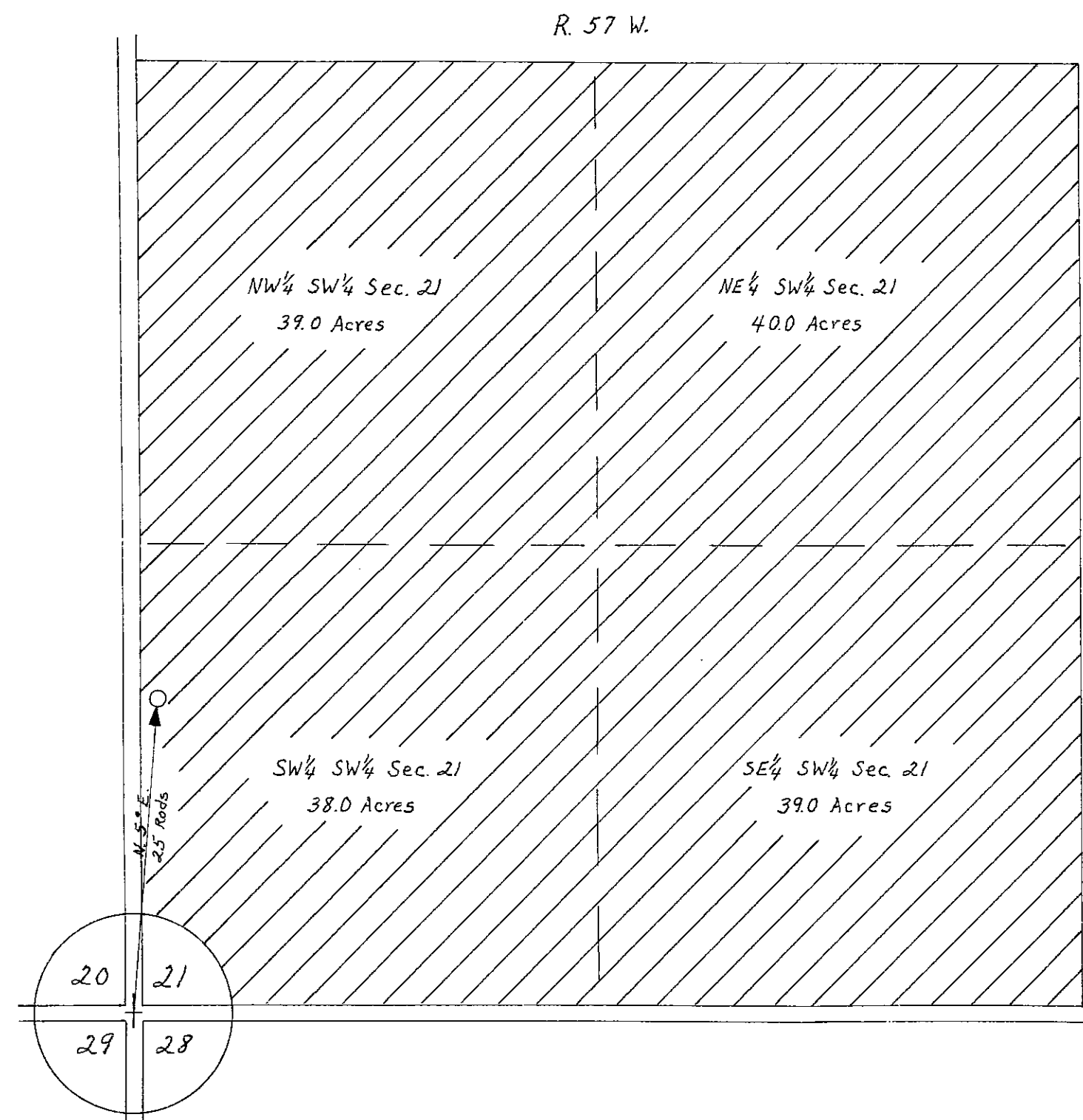
STATE OF SOUTH DAKOTA

County of Clark

I, Marlin D. Warkenthien 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 Marlin D. WarkenthienSubscribed and sworn to before me this 4th day of March 19 77

Notary Public (or other qualified officer)



All Lands Described Are Owned By Marlin Warkenthien

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 SW 1/4	21	114	57	39.0
NE 1/4 SW 1/4	21	114	57	40.0
SW 1/4 SW 1/4	21	114	57	38.0
SE 1/4 SW 1/4	21	114	57	39.0
Total				156.0

 LAND TO BE IRRIGATED
 PUMP SITE

Scale: 1" = 400'

SURVEYOR'S CERTIFICATE

I, FRANKLIN LITE DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF MARLIN D. WARKENTHIEN, NO IRRIGATION PROJECT AND HAS BEEN PREPARED BY:

SIGNATURE: Franklin L. Lite
 TITLE: District Conservationist
Soil Conservation Service

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4th DAY OF March, 1977, A.D.


 S.D. Sherwood NOTARY PUBLIC

MY COMMISSION EXPIRES June 2, 1982.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3827-3MARLIN D. WARKENTHIEN
(Applicant)STAR RTE, Box 39, WILLOW LAKE
(Post Office Address)SOUTH DAKOTA 57278
(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 MARCH 7, 19 77Date of return to applicant for correction, amendments or changes required —, 19 —Date of receipt of corrected application APRIL 1, 19 77Approved MAY 25, 19 77, Recorded in Book 18 Page 256WATER RIGHT PERMIT NO. 3827-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3827-3 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 MARCH 7, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 79
3. The whole of said work is to be completed on or before MAY 25, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 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 2.28 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 25, 19 85; said water to be used during the following described annual period: APRIL THRU NOVEMBER 1

Witness my hand this 13th day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —Water License Issued —, 19 —

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 66'
- (2) Casing, Type Steel Diameter 16" Thickness .250
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson Stainless, Diameter 16", Length 20'
- (4) Gravel Pack, Thickness 7", Length of gravel pack 66'

E. Dugout Information or Estimates

- (1) Surface dimensions N/A, 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 0-1 Top soil
1-45 Sand and gravel
45-66 Coarse sand and gravel
66-80' Clay

Depth to top of water bearing material 25'
Depth to bottom of water bearing material 66'
Thickness of water bearing material 41'
Depth to water (ground surface to water level) 16'

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

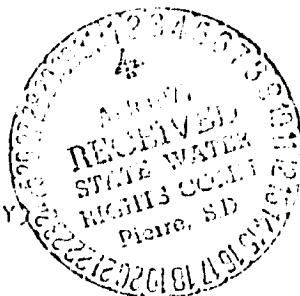
On same owner's property 600 rds. On property owned by others 100 rds.

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.

Martin D. Wolfert
Signature of Applicant

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



NAME Merlin D. Werhenthien

ADDRESS Star Route Box 29 Willon Lake, South Dakota

COUNTY Clark, S. Dak.

LEGAL DESCRIPTION

1. WELL LOCATION 850' North & 10' East of the SW corner of Sec. 21 Township 11, Range 57
2. LOCATION OF AREA TO BE IRRIGATED Southwest corner of Sec. 21 Twp. 11, Range 57 Clark County
Clark County

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT x GUN _____
4. CROPS TO BE IRRIGATED Corn-Alfalfa-Small Grain -Potatoes

WATER QUALITY

5. SAMPLE NUMBER 77-349
6. SALINITY (EC x 10⁶) 714 (medium)
7. SODIUM (SAR) 0.39 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Clark County Conservation District, County Extension office or Soil Conservation Service. and: that the legal description for the location of the well and land to be irrigated is true and correct.

Merlin D. Werhenthien
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
28th DAY OF December 1922.

[Signature]
(TITLE OR SEAL)

(SOILS INFORMATION ON REVERSE SIDE)

[Signature]
APPROVED/DECLINED

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

Submitted by: Harlin Werbenheim Date Rec'd: February 23, 1977
Address: Star Route, Box 39 Sample No.: 77-349
Willow Lake, SD 57273 Identification: Well-
SW1, Sec. 23, T 114N, R 57E

WATER ANALYSIS

Calcium (Ca)	93	ppm*	4.65	me/l**
Magnesium (Mg)	30	ppm	2.46	me/l
Sodium (Na)	17	ppm	0.74	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	169	ppm	3.43	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	312	ppm	5.12	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	256	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	714	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.39			
Sodium	9.36	% of cations		
Residual sodium carbonate	0.03	me/l		
pH	7.50			
Others:				

*ppm==parts per million

**me/l==millequivalents per liter

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

COMMENTS: Total cations 7.90 me/l
Total anions 8.67 me/l

By: Shirley Jittan

Service Performed	Amount Due
Testigation analysis	\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-349

Amount Enclosed \$

Signed

March 15, 1977

Mr. Merlin D. Warkentien
Star Route Box 39
Willow Lake, SD 57273

Dear Mr. Warkentien:

Your water sample (Lab. No. 77-249) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AEC pamphlet 213 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

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

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

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
D. Pahl, Extension Service

Form 6 - Notice of Intent to Appropriate Water

No. 3827-3

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 11, 1977

Notice is hereby given that Marlin D. Warkenthien
whose post office address is Willow Lake, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.280 cubic feet of water per second of time from the Willow Lake through the
M. D. Warkenthien # 1, the point of diversion of which is to be located in the SW 1/4

of Section 21, Twp. 114N, Range 37W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW 1/4, Section 21-T114N-R37W

This application No. 3827-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23rd day of May, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERKOTON
Water Rights Specialist

BFJ/bw

cc: Marlin D. Warkenthien, 501 Rt. Box 3, Willow Lake, S. D. 57076

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

I, Bert Moritz hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Clark County Courier

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

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

April 21, 1977

April 28, 1977

Bert Moritz
(Signature)

publisher
(Title)

5/12/77
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota
April 11, 1977

Notice is hereby given that
Marlin D. Warkenthien whose
post office address is Willow
Lake, South Dakota, has made an
application in accordance with
the provisions of the water laws
of South Dakota for a permit to
appropriate for beneficial use
2.28 cubic feet of water per
second of time from ground
water through the M.D. Warken-
thien No. 1, the point of diversion
of which is to be located in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Twp.
114N, Range 57W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW $\frac{1}{4}$, Section 21-T114N-R57W.

This application No. 3827-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 25th day of
May, 1977, at 10:00 a.m. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: James Winterton
Water Rights Specialist



Form 10



No. 3827-3

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Willow Lake, S.D.

Date 4-3-1979

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. 3827-3.

Water Right Permit No. 3827-3 states that the diversion system is to be constructed by May 25, 1982 and that the water is to be put to beneficial use by May 25, 1985.

The diversion system was completed on July 1, 1982.
Applying the water to beneficial use was completed on July 15th, 1982.

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.

Martin D. Lockenthorpe
(Signature)

Permit No. 3827-3
 Water Division 3 JAMES RIVER Water District
Big Sioux River

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by MARLIN D. WARKENTHIE of WILLOW LAKE holder of Permit No. 3827-3 bearing date of priority of MARCH 7, 1977 authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in CLARK 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:

66' DEEP WELL WITH 16" STEEL CASING - 20' SS SCREEN
NATIONAL PUMP CO 8" PUMP N200-B, POWERED BY
60 HP WESTINGHOUSE ELECTRIC MOTOR @ 1775 RPM

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

1500' OF 8" BURIED PVC FROM WELL TO PIVOT PAD

C. Works used to apply water to beneficial use.

10 TOWER OLSON CENTER PIVOT SYSTEM WITH
NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 600' N & 50' E OF THE SW CORNER,
SECTION 21, T114N, R57W

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 132 ACRE CIRCLE IN THE SW 4,
SECTION 21, T114N, R57W

comprising a total of 132 acres of land.

Date SEPTEMBER 22, 1982
Burton J. [Signature]
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO.

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

Harlin D. Warkenthien

made Water Right Application No. 3827-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater (one well)

County of Clark, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 25th day of May A. D. 19 77

Permit No. 3827-3 with a date of priority of March 7, 1977

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 25th day of May A. D. 19 82 and for the

application to beneficial use of said water on or before the 25th day of May A. D. 19 85

and,

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet per second of water for beneficial use and,

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

for irrigating a 132 acre circle in the SW $\frac{1}{4}$ (C), Section 21, T114N, R57W

(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, Marlin D. Wackenthien

_____ of Star Route, Box 39, Willow Lake, South Dakota

the holder _____ and owner _____ of said permit No. 3827-3 a water right, dating from March 7, 1977

_____ to use of 1.78 cubic feet per second of the waters

of groundwater (one well)

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

purposes herebelow mentioned, to be diverted at a point 600' N and 50' E of the SW Corner, Section 21,

T114N, R57W (CC)

and conducted to and upon a 132 acre circle in the SW 1/4, Section 21, T114N, R57W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3827-3 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 December A.D.

Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3827-2

Water Diversion No. 3 Dig Sioux River Water District
10170201

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harlin D. Warkenthien

_____ the holder _____ of
Permit No. 3827-3, issued upon Application No. 3827-3, bearing date of priority of _____
March 7, 1977 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater (one well) _____ County of Clark, State of South Dakota at _____
a point 600' N and 50' E of the SW Corner, Section 21, T114N, R57W (CC)

_____, 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 1.78 cu. ft. per second of water.

Date December 7, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

No 4 9055

State of South Dakota

PIERRE, December 6, 1982

RECEIVED OF Marlin or Cindy Markenthien, Star Route, Box 430, Wille, SD 57278
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>4324</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>2107-1</u>		
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/mis



Department of Water & Natural Resources

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

Janu / 29, 1988

MARLIN D WARKENTHEIN
SR BOX 39
WILLOW LAKE, SD 57278

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 3827-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 25, 1988

3827-3

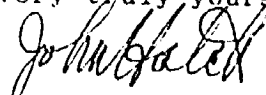
Marlin D Warkenthein
SR Box 39
Willow Lake SD 57278

Dear Mr. Warkenthein:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 3827-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,


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

 **Department of
Water & Natural Resources**

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

February 8, 1989

MARLIN D WARKENTHEIN
3R BOX 39
WILLOW LAKE, SE 57278

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 3827-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD.

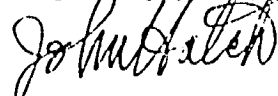
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1. Amend Permit No(s). 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



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



South Dakota Department of
Water & Natural Resources

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

February 24, 1989

3827-3

Marlin D Warkenthein
HCR 3 Box 39
Willow Lake, SD 57278

Dear Mr. Warkenthein

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 3827-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

February 9, 1990

MARLIN D WARKENTHEIN
HC 3 BOX 39
WILLOW LAKE, SD 57278

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 3827-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-3, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



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



**Department of
Water & Natural Resources**

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

February 28, 1990

3827-3

Marlin D Warkenthein
HC 3, Box 39
Willow Lake SD 57278

Dear Mr. Warkenthein:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 3827-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division

3827-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

MARLIN D WARKENTHEIN
HC 3 BOX 39
WILLOW LAKE SD 57278

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 3827-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 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. Following the hearing, the Water Management Board can:

1. Amend Permit No 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

38273

MARLIN D WARKENTHEIN
HC 3 BOX 39
WILLOW LAKE, SD 57278

4a. Article Number

P 757 566 274

4b. Service Type

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

7. Date of Delivery

2-9-95

5. Signature (Addressee)

X Marlin Warkenthein

6. Signature (Agent)

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

PS Form 3811, December 1991 U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

3827-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1995

3827-3

Marlin D Warkenthein
HC 3 Box 39
Willow Lake, SD 57278

Dear Warkenthein:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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

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



3827-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: MARLIN D WARKENTHEIN, HC 3 BOX 39, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

3827-3

MARLIN D WARKENTHEIN
HC 3 BOX 39
WILLOW LAKE SD 57278

4a. Article Number

119-141 177

4b. Service Type

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

7. Date of Delivery

1-10-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Cindy Warkenthein*

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

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 12, 1998

3827-3

Marlin D Warkenthein
HC 3 Box 39
Willow Lake, SD 57278

Dear Mr. Warkenthein:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, Notice concerning reporting requirements for Water Permit No. 3827-3.

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



January 22, 1999

8827-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: MARLIN D WARKENTHEIN, HC 3 BOX 39, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

3827-3

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: MARLIN D WARKENTHEIN HC 3 BOX 39 WILLOW LAKE SD 57278		4a. Article Number P 378 080 712	
5. Received By: (Print Name)		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
6. Signature: (Addressee or Agent) X <i>Marlin D Warkenthein</i>		7. Date of Delivery 1-23-99	
		8. Addressee's Address (Only if requested and fee is paid)	

PS Form 3811, December 1994 102595-95-B-0229 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1999

3827-3

Marlin D Warkenthein
HC 3 Box 39
Willow Lake, SD 57278

Dear Mr. Warkenthein:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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



3827-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: MARLIN D WARKENTHIEN, HC 3 BOX 39, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

3827-3

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MARLIN D WARKENTHIEN
 HC 3 BOX 39
 WILLOW LAKE SD 57278

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Marlin Warkentien 1-24-02

B. Date of Delivery

C. Signature

X Marlin Warkentien

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. 7001 2510 0004 4797 4685

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 22, 2002

3827-3

Marlin D Warkenthien
HC 3 Box 39
Willow Lake, SD 57238

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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

3827-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: MARLIN D WARKENTHIEN, HC 3 BOX 39, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 6437

This item was delivered to or picked up by the addressee on January 18, 2003 at 10:06 am.

[\(Shipment History > \)](#)

[\(Request Delivery Record > \)](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 6437

MARLIN D WARKENTHIEN
HC 3 BOX 39
WILLOW LAKE SD 57278

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail
☐ Package Services

PS Form 153, February 2001

(See Reverse)



**UNITED STATES
POSTAL SERVICE™**

Date: 01/29/2003

Fax Transmission To: SHARALYN DEL GROSSO
Fax Number: 605-773-3837

Dear SHARALYN DEL GROSSO:

The following is in response to your 01/29/2003 request for delivery information on your Signature Confirmation item number 23010370000075406437. The delivery record shows that this item was delivered on 01/18/2003 at 10:06 AM in WILLOW LAKE, SD 57278 to M WARKENTHIEN. The scanned image of the recipient information is provided below.

Signature of Recipient: Delivery Section

Cindy Warkenthien
Cindy Warkenthien

Address of Recipient: Hc 3 Box 39
Willow Lake SD 57278

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2003

3827-3

Marlin D Warkenthien
HC 3 Box 39
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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

NOT TO SCALE

3827-3

114-57

3-121C

25.8

21

151.1

749

1500'
8" PVC

WELL

50'

114.0

114-57



3827-3

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: MARLIN D WARKENTHIEN, HC 3 BOX 39, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



38273

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4558

Your item was delivered at 10:38 am on January 25, 2006 in WILLOW LAKE, SD 57278. The item was signed for by M WARKENTHIEN.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4558

MARLIN D WARKENTHIEN
HC 3 BOX 39
WILLOW LAKE SD 57278

fore mailing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

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☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



**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 14, 2006

3827-3

Marlin D Warkenthien
HC 3 Box 39
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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



3827-3
**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 26, 2007

NOTICE

TO: MARLIN D WARKENTHIEN, HC 3 BOX 39, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 1, 2007**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.



3827-3

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SIGNATURE CONFIRMATION NUMBER:
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P
MARLIN D WARKENTHIEN
HC 3 BOX 39
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Waiver of Signature ☐ YES ☐ NO

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February 13, 2007

3827-3

Marlin D Warkenthien
18598 426th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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



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January 23, 2009

NOTICE

TO: MARLIN D WARKENTHIEN, 18598 426TH AVE, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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.

3827-3

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FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 6012

MARLIN D WARKENTHIEN
18598 426TH AVE
WILLOW LAKE SD 57278

Waiver of Signature ☐ YES ☐ NO

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February 2, 2009

3827-3

Marlin D Warkenthien
18598 426th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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

If you have any questions, please contact me.

Sincerely,

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

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



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January 22, 2010

NOTICE

TO: MARLIN D WARKENTHIEN, 18598 426TH AVE, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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



3827-3

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- Out for Delivery or Available at PO Box, January 23, 2010, 8:04 am, WILLOW LAKE, SD 57278
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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8412

MARLIN D WARKENTHIEN
18598 426TH AVE
WILLOW LAKE SD 57278

e mailing.

Waiver of Signature ☐ YES ☐ NO

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February 1, 2010

3827-3

Marlin D Warkenthien
18598 426th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 3827-3.

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

If you have any questions, please contact me.

Sincerely,

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

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



3827-3
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January 24, 2014

NOTICE

TO: MARLIN D WARKENTHIEN, 18598 426TH AVE, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



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February 4, 2014

3827-3

Marlin D Warkenthien
18598 426th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 3827-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT OF ENVIRONMENT
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denr.sd.gov



October 27, 2014

3827-3

Marlin D Warkenthien
422 Monroe Ave
Willow Lake SD 57278 2310

Dear Sir:

Enclosed is a "Notice" dated October 17, 2014 concerning the 2014 irrigation questionnaire.

The notice was originally mailed to 18598 426th Ave, Willow Lake SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



3827-3
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January 16, 2015

NOTICE

TO: MARLIN D WARKENTHIEN, 422 MONROE AVE, WILLOW LAKE, SD 57278 2310

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit No(s) 3827-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3827-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



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January 29, 2015

3827-3

Marlin D Warkenthien
422 Monroe Ave
Willow Lake SD 57278 2310

Dear Mr. Warkenthien:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit No. 3827-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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