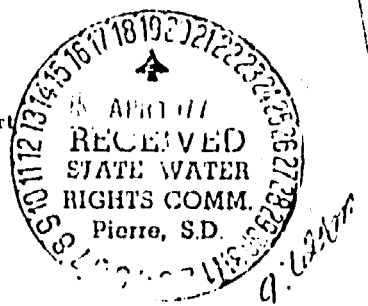


Water Right Number 3955-3

1. Considered 5-25, 19 77
2. Name of Applicant RUSSELL WIRT
3. Post Office Address PARKER
4. Amount of water claimed 1.14
5. Source of water supply 100' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 80
7. Water to be diverted and used in TURNER County
about 4N, 2E Miles 1 of HURLEY
8. Proof of Publication Received ~~1ST~~ 5-24-77
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Map No. 3205-3 Water Division No. 3 VERMILLION RIVER District _____
 No. 3205-3
 Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Russell C. Wirt
 Postoffice address Parker State S.D. 57053
 If a corporation show date and place of incorporation n/a
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Russell C. Wirt Irrigation System #1
 4. Amount of water claimed (cubic feet per second) 2.0 (needed to run C.P. system)
 5. Source of water supply well
 6. Location of point of diversion Approx. 80 rods W. and 60 rods S. of the NE corner
Sec. 5-98-53
 County Turner

7. Annual period or periods during which water is to be used April - November
 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 80

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.
<u>SW 1/4 5-98-53</u>	<u>40</u>		
<u>SW 1/4 5-98-53</u>	<u>40</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication New Era, Parker, SD 57053
 12. Principal Features of the Proposed Water Supply System.

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

Elec. Pump

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

Buried Pipeline To C.P.

C. Works proposed to apply water to beneficial use.

C.P. Sprinkler System.Estimated Total Cost \$ 10,000.00

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 Turner

I, Russell C. Wirt 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 Russell C. WirtSubscribed and sworn to before me this 18th day of April 1971

Notary Public (or other qualified officer)

My Commission
 Expires
 12-31-82

WATER RIGHT APPLICATION APPROVAL

207-4938

The Water Rights Commission hereby approves Water Right Application No. 3955-3

RUSSELL WIRT
(Applicant)

PARLER
(Post Office Address)

SOUTH DAKOTA 57053 With the following modifications:
(State)

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

Date of first receipt of application APRIL 19, 19 77

Date of return to applicant for correction, amendments or changes required —, 19 —

Date of receipt of corrected application —, 19 —

Approved MAY 25, 19 77, Recorded in Book 18 Page 339

WATER RIGHT PERMIT NO. 3955-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3955-3 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 APRIL 19, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 25, 19 78
3. The whole of said work is to be completed on or before MAY 25, 19 82 ^{extended} 5-1-81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 84
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 1.14 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 84 said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 3RD day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By: John F. Hahn
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 100'
- (2) Casing, Type Steel Diameter 2 1/4" Thickness 1/4"
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type Stainless Steel, Diameter 1 1/4", Length 20'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 90'

E. Dugout Information or Estimate.

- (1) Surface dimensions --, Depth --

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

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

Character of Water bearing materials Approx. 10' blk soil, 30' clay, and coarse
gravel to 100'.

Depth to top of water bearing material 40'

Depth to bottom of water bearing material 100'

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 20'

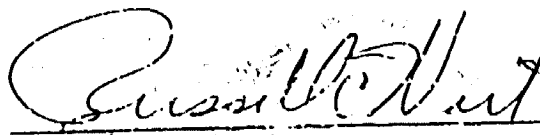
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property none rds. On property owned by others 160 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.

n/a


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 Russell Wirt
ADDRESS Parker, S. Dak. 57053
COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Approx. 100 rods west and 82 rods S. of the NE corner of the NE 1/4 5-98-53.
2. LOCATION OF AREA TO BE IRRIGATED S 1/4 NE 1/4 5-98-53

TYPE OF IRRIGATION

3. GRAVITY 1 TOWLINE _____ CENTER PIVOT ✓ GUN _____
4. CROPS TO BE IRRIGATED Corn, alfalfa

WATER QUALITY

5. SAMPLE NUMBER 77-347
6. SALINITY (EC X 10⁶) 10.90 (high)
7. SODIUM (SAR) 0.34 (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 Turner Co. 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.

Russell Wirt
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
21 DAY OF Feb 19 77.

Harold M. Peterson
(TITLE OR SEAL)

Harold M. Peterson
APPROVED/CLEARED
(RECOMMENDED FOR IRRIGATION)

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

Submitted by: Russell Wirt
 Address: Parker, SD 57053

Date Rec'd: February 23, 1977
 Sample No.: 77-347
 Identification: Well-90
NE 1/4, Sec. 5, T. 98N, R. 53E

WATER ANALYSIS

Calcium (Ca)	170	ppm*	8.50	me/l**
Magnesium (Mg)	52	ppm	4.26	me/l
Sodium (Na)	20	ppm	0.87	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	230	ppm	4.78	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	13	ppm	0.36	me/l
Bicarbonate (HCO ₃)	420	ppm	6.88	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	344	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1090	micro.mhos per cm at 25° C.		
Sodium Adsorption Ratio	0.34			
Sodium	6.35	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.34			

Others:

*ppm=parts per million

**me/l=mill-equivalents per liter

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

COMMENTS: Total cations 13.68 me/l
 Total anions 12.02 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-347

Amount Enclosed \$

Signed

March 15, 1977

Mr. Russell Wirt
Parker, SD 57053

Dear Mr. Wirt:

Your water sample (Lab. No. 77-347) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

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

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

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

Sincerely yours,

L. O. Fink

L. O. Fink
Water Quality Lab

LOF:clb

Enclosures

cc: State Conservation Commission

D. Pehl, Extension Service

P.S. Soil area 224432 probably will have a rising water table and a drainage problem. Be sure surface drainage is well taken care of before you start. Tile drainage may be needed later. You may have real grief getting stuck, crops drowning, etc.

No. 3955-3

Publish first publication, on or before May 16, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

May 13, 1977

Notice is hereby given, that Russell Wirt
whose post office address is Parker, 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
1.14 cubic feet of water per second of time from the ground water through the
Wirt # 1, the point of diversion of which is to be located in the
center of the NE 1/4
of Section 5, Twp. 21N, Range 53W. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4, Section 3, T21N, R53W

This application No. 3955-3 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:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Russell Wirt, Parker, SD 57053

RECEIPT

WATER RIGHTS COMMISSION

NO 4 8190

State of South Dakota

April 30

81

PIERRE,

10

Russel Wirt, RR 1, Parker SD 57053

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

Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		2 50
Fee for filing an extension of time on Permit No. 3955-3 _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL		2 50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer



APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date 4/22/81

Dear Sirs:

In Water Right Permit No. 3955-3 it is specified that the water diversion system is to be completed by May 25, 1979 and that the water is to be put to the limit of beneficial use by May 25, 1981.

I hereby request that the date for completing the diversion system be extended to May 25, 1982 and that the date for putting the water to the limit of beneficial use be extended to May 25, 1984.

The extension of time for the completion of these works is requested for the following reasons: To make up my mind on the type of system and location of the well. It is a long narrow 80 and I have several ways of go at it but have not decided.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

Russell Kirt
(Signed)

3955-3

Permit Number

APPROVED: 5-1-81

Board of Water Management

BY: Lester Jones



Department of Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

May 4, 1991

Russell Wirt
Parker, SD 57053

Dear Russ:

This is to inform you that your request for extension of time dated
April 22, 1991 for Water Right No. 3955-3 has been

approved by the Board of Water Management as follows:

The date for completing construction of the water system has
been extended to May 25, 1992, and the date for
putting the water to the limit of beneficial use has been
extended to May 25, 1984.

Enclosed herewith is Receipt No. 4 8190 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,

BURTON F JONES
Water Rights Specialist

BFJ/gy

encl

Equal Opportunity Employer



Department of Water & Natural Resources

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

March 23, 1987

RUSSELL WIRT
PARKER, SD 57053

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3955-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 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 2:00 pm, May 6, 1987 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). 3955-3 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 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

April 24, 1987

3955-3

Russell Wirt
Parker, SD 57053

Dear Mr. Wirt:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3955-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

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

January 29, 1988

RUSSELL WIRT
PARKER, SD 57053

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

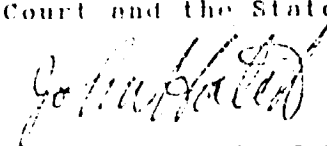
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). (955-3.) The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given 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). 3955-3 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.



Department of Water & Natural Resources

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

February 12, 1988

3955-3

Russell Wirt
Parker SD 57053

Dear Mr. Wirt:

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. 3955-3 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
605 773-3362

**Department of
Water & Natural Resources**

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

February 17, 1989

Russell Wirt
RR 1, Box 19
Parker, SD 57053

Dear Mr. Wirt:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an injection port between the irrigation pump and the check valve or the irrigation line;



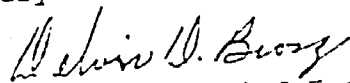
3

Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3752).

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 7, 1990

3955-3

Russell Wirt
RR #1 Box 19
Parker, SD 57053

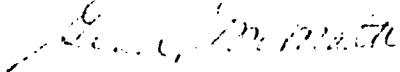
Dear Mr. Wirt:

The inspection of your water use system and the inspection of the extent of the application of water to beneficial use, as developed under your Water Permit No. 3955-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

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



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

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

June 26, 1990

SECOND NOTICE
Permit No. 3955-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Russell Wirt
RR #1 Box 19
Parker, SD 57053

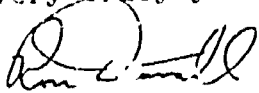
Dear Mr. Wirt:

February 7, 1990 you were notified the final inspection fee of \$50.00 is due before Water License No. 3955-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,



Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Permit No. 3955-3Vermillion River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Russell Wirt
_____ of RR 1, Box 19, Parker, SD 57053 holder of
Permit No. 3955-3, bearing the priority of April 19 19 77 authorizing
the diversion of 1.14 cu. ft. per second of the waters of groundwater
for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

One well - 59 feet deep, unknown length of steel casing, unknown length of stainless steel screen

Valley pump, 10 HH04A 14-11234, Code L-61, 40 psi, 800 GPM

High Thrust U.S. Electric Motor, Id# R-6229-04-146R2147486, 40 HP

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

12 feet of 8 inch Aluminum pipe

C. Works used to apply water to beneficial use:

zinnatic center pivot, 7 towers with end gun, low pressure, 800 GPM

The system is in the following condition goodThe point of diversion is located at a point 1,305 feet east and 1,270 feet north of the center of Section 5, T38N R53WThe works are capable of diverting and conveying to the place of use 1.78cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in Section 5, T38N R53W30.5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ comprising a total of 61 acres of land and the license should be issued for 0.87 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date July 13, 1988

Quas Brown
(Signature)

LICENSE FOR PERMIT NUMBER 3955-3 Russell Wirt

1. Legal location of wells: 1,305 feet east and 1,270 feet north of the center of Section
5, T98N R52W
dams & structures: _____

2. Well Information: Well Drilling Firm Ed H. Lacey and Son

Completion Report Yes X No _____ No. of Wells 1 Depth 59 feet
Casing a) diameter 14 inch Screen a) type stainless steel
b) length unknown b) length unknown
c) type steel Static Water Level 16 feet
Pump a) make Valley Motor a) make High Trust U.S. Electric
b) model 10 HH04A 14-11234 b) model No. ID# R-6229-04-146R2147486
c) size Code L-81 c) horsepower rating 40 HP
d) capacity 800 gpm
e) turbine pump - no. of stages unknown
f) operating PSI 60

3. Distribution lines or canals

a) size 8 inch
b) type Aluminum
c) length 12 feet

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

6/60

Water Level Information:
 Static water level 14 below land surface
 If flowing: closed in pressure PSI
 rate of flow GPM
 Controlled by:
 ☒ Valve ☐ Reducers ☒ Other
 If other; specify

Well Test Data:

☒ Pumped _____

☐ Bailed Describe: _____

☐ Other _____

Pumping Level Below Land Surface

300	ft. After	7	Hrs. pumped	700	GPH
_____	" "	_____	" "	_____	" "
_____	" "	_____	" "	_____	" "

Formation	Depth	
	From	To
SANDSTONE	0	1
CLAY	1	2
CLAY	2	3
CLAY	3	4
CLAY	4	5
CLAY	5	6
CLAY	6	7
CLAY	7	8
CLAY	8	9
CLAY	9	10
CLAY	10	11
CLAY	11	12
CLAY	12	13
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CLAY	14	15
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CLAY	17	18
CLAY	18	19
CLAY	19	20
CLAY	20	21
CLAY	21	22
CLAY	22	23
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CLAY	25	26
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CLAY	88	89
CLAY	89	90
CLAY	90	91
CLAY	91	92
CLAY	92	93
CLAY	93	94
CLAY	94	95
CLAY	95	96
CLAY	96	97
CLAY	97	98
CLAY	98	99
CLAY	99	100

(Use Back If Necessary)

Method of Drilling: ☒ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:
Diameter of Hole 14"
Depth _____
Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
If other, specify _____

Was casing end left open NO
Was a well screen installed YES
Describe Well Screen
Diameter 14" Material SS
Slot size 1/8"
Was well gravel packed YES
Was well grouted -
Was water sample taken -

Date Completed: 5-27-67

Driller: E. H. Lacey, Sr.
Driller's or Firm's Name 111
PO Box 1700 License NO. 111
Address 111
111
Signed By 111 Date 111

Remarks:

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3955-3

(1) Russell C. Wirt of RR #1 Box 19, Parker, SD 57053-9707 made Application No. 3955-3, April 19, 1977 for a water permit to appropriate 1.14 cubic feet per second of water from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 3955-3, with a priority date of April 19, 1977 was approved May 25, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 25, 1982 and for the application beneficial use of said water on or before May 25, 1984.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Laws relating to completion of the construction of the water supply system and is entitled to divert 0.87 cubic feet per second of water for beneficial use. The location of the diversion point is: 1305'E and 1270'N of the center of Section 5, T98N, R53W.

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

T98N, R53W Section 5	SW1/4 NE1/4	30.5 acres
	SE1/4 NE1/4	30.5 "
	TOTAL	61 acres

(4) Pursuant to Section 46-5-30.1 Russell C. Wirt of RR #1 Box 19, Parker, SD 57053-9707 the holder(s) and/or owner(s) of Water Permit No. 3955-3 is issued a license to appropriate water, the right to use 0.87 cubic feet per second of water from groundwater (one well) with a priority date of April 19, 1977 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 3955-3 and subject to South Dakota Law.

 JUN 29 1990
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 28, 19 50

RECEIVED OF Russell Wirt, RR #1 Box 19, Parker, SD 57351

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>Water Right No. 3955-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer



Department of Water & Natural Resources

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

JUN 29 1990

3955-3

Russell C. Wirt
RR #1 Box 19
Parker, SD 57053-9707

Dear Mr. Wirt:

Enclosed is Water License No. 3955-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412284 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3955-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

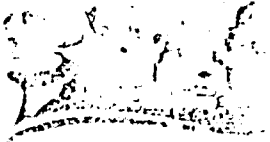
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have questions, please contact our office.

Very truly yours,

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

enclosures

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

3955-3

RUSSELL WIRT
RR 1, BOX 19
PARKER, SD 57053

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). (3955-3)

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 3955-3. The request for the chemigation report(s) was dated January 21, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

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

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

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

1. Suspend Permit No(s). 3955-3 until either the 1990 chemigation report(s) is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

Very truly yours,

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

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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4:
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, d.e. and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
Russell Wirt
RRI, Box 19
Parker, SD 57053

4. Article Number
P 430 406 204

Type of Service:
☐ Registered
☒ Certified
☐ Express Mail
☐ Insured
☐ COD
☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**

5. Signature -- Addressee
X *Russell Wirt*

6. Signature -- Agent
X *[Signature]*

7. Date of Delivery
2-2-91

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

PS Form 3811, Apr. 1989 • U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 14, 1991

RUSSELL WIPT
RR 1, BOX 19
PARKER, SD 57053

Dear Mr. WIRT:

I am writing to acknowledge receipt of your 1990 chemigation report for Water Right No.(s) 3955-3. You may disregard the February 1, 1991, Notice of failure to report chemical use for 1990. With receipt of the chemigation report, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall,
Natural Resources Engineer IV
Water Rights Division

3955-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RUSSELL WIRT
RR 1, BOX 19
PARKER, SD 57053

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 3955-3

The first notice to file chemigation report(s) for Permit No(s) 3955-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 3955-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02. This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 3955-3 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.

Very truly yours,

RON FUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 1992

RUSSELL WIRT
RR 1, BOX 19
PARKER, SD 57053

Dear Mr. WIRT:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No.(s) 3955-3. You may disregard the February 1, 1991, Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

Don Frye

DON FRYE, Natural Resources Analyst
Water Rights Division

3955-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: RUSSELL WIRT
RR 1 BOX 19
PARKER SD 57053

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3955-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

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

1. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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



3955-3

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

January 29, 1993

NOTICE

TO: RUSSELL WIRT
RR 1, BOX 19
PARKER, SD 57053

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

RE: Failure to Report Chemical Use under Water Permit No(s) 3955-3

The first notice to file chemigation report(s) for Permit No(s) 3955-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 3955-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-11, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3955-3 in accordance with applicable provisions or SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 777-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

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:

3955-3

RUSSELL WIRT
RR 1 BOX 19
PARKER SD 57053

4a. Article Number

P906 559 987

4b. Service Type

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

7. Date of Delivery

1-30-93

5. Signature (Addressee)

Russell L. Wirt

6. Signature (Agent)

[Signature]

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.



3955-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 1993

Russell Wirt
RR 1 Box 19
Parker, SD 57053

Dear Sir:

I am writing to acknowledge receipt of your phone call concerning the 1992 chemigation questionnaire. You may disregard the January 29, 1993 notice of "Failure To Submit Chemigation Questionnaire." I have filled out the questionnaire with the information you provided over the phone and your name is deleted from the Water Management Board agenda.

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

Sincerely,

Barry A. McLaury
Natural Resources Analyst
Water Rights Division

3955-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1993

3955-3

Russell Wirt
RR #1 Box 19
Parker, SD 57053

Dear Mr. Wirt:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire. The questionnaire information was obtained following our telephone conversation of February 2, 1993. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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



January 30, 1996

3955-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: RUSSELL WIRT, RR 1 BOX 19, PARKER, SD 57053

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 3955-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

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

1. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form 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:

RUSSELL WIRT
RR 1 BOX 19
PARKER SD 57053

4a. Article Number

Z 348 318 910

4b. Service Type

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

7. Date of Delivery

1-31-96

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: RUSSELL WIRT
RR 1 BOX 19
PARKER SD 57053

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

RE: Failure to Report Chemical Use under Water Permit No(s) 3955-3

The first notice to file chemigation report(s) for Permit No(s) 3955-3 was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 3955-3. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 3955-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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

3455-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 1996

3955-3

Russell Wirt
RR 1 Box 19
Parker, SD 57053

Dear Mr. Wirt:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire and chemical use report. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire and Notice of Failure to Report Chemical Use.

I completed the above forms for you based on our January 31, 1996 telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath'.

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



3955-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: RUSSELL WIRT, RR 1 BOX 19, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5024-3, 3955-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held at 1:30 pm. March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



3955-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2000

3955-3
5024-3

Russell Wirt
RR 1 Box 19
Parker, SD 57052

Dear Mr. Wirt:

Thank you for calling in about your 1999 irrigation questionnaires. I completed forms for you based on our January 18th telephone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 3955-3 and 5024-3. 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



3955-3

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: RUSSELL WIRT, RR 1 BOX 19, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5024-3, 3955-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held at 8:30 am, March 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. 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) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



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Delivery Status

You entered 2301 0370 0000 7541 4661

Your item was delivered at 3:03 pm on January 18, 2003 in PARKER, SD 57053. The item was signed for by R WIRT.

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SIGNATURE CONFIRMATION NUMBER:

2301 0370 0000 7541 4661

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Art

RUSSELL WIRT
RR 1 BOX 19
PARKER SD 57053

before mailing.

Postmark
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PS Form 153, February 2001



3955-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2003

3955-3
5024-3

Russell Wirt
RR 1 Box 19
Parker SD 57053

Dear Russell:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 3955-3 and 5024-3.

I completed questionnaires for you based on our January 21st telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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



3955-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 9, 2004

3955-3
5024-3

Russell Wirt
27813 454th Ave
Parker SD 57053

Dear Russell:

Thank you for sending in your 2004 irrigation questionnaire. I am returning the form to you for completion. In order for the form to be considered complete, you will need to fill out the back side of it.

I know in the past, you have indicated you irrigated the same as the year before. I can no longer fill them out that way because each year the amount of precipitation received is different. The information obtained from the irrigators is a valuable tool in managing the state's water resources.

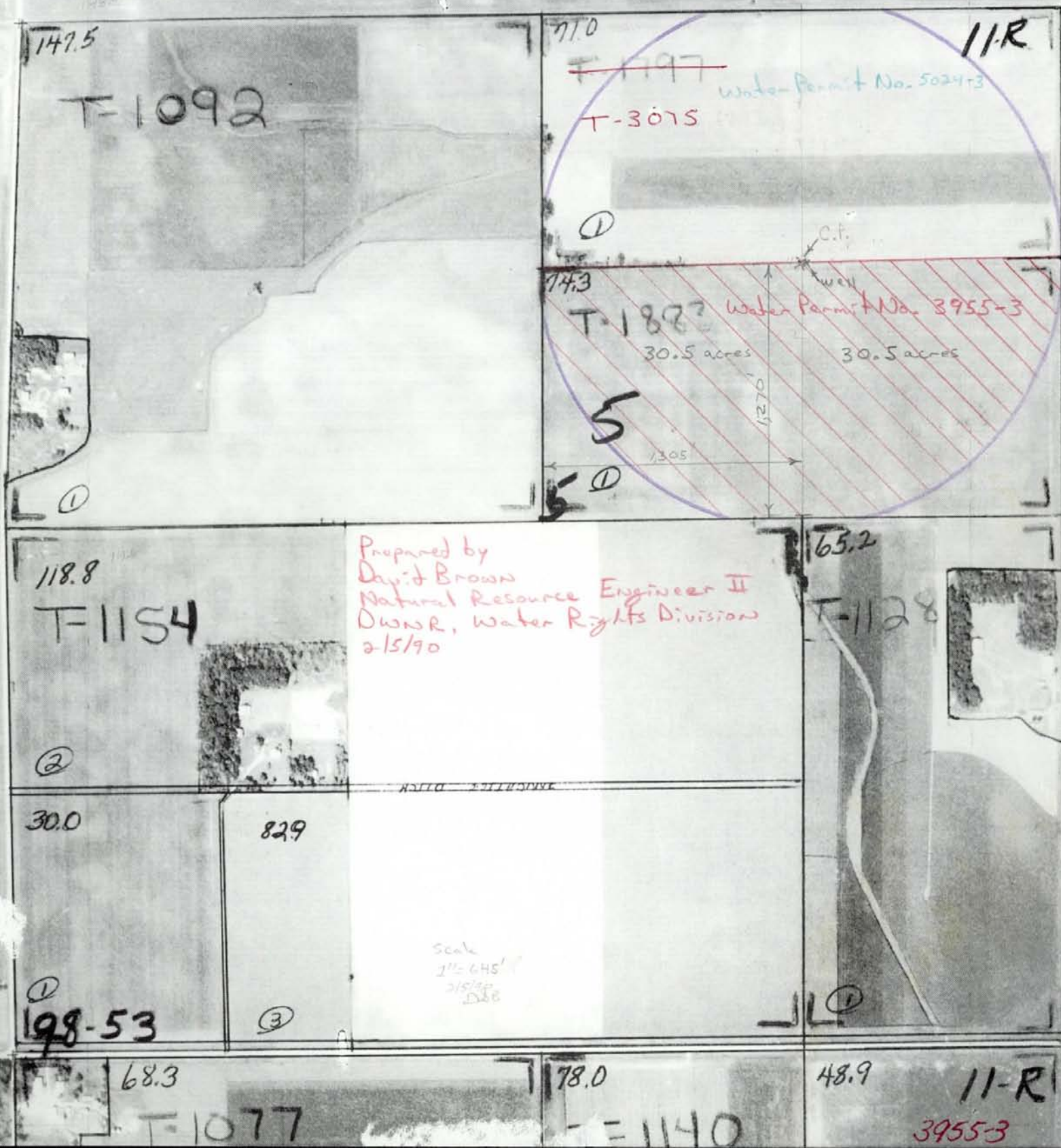
Please complete and return the form by December 31st. I have enclosed a postage paid envelope for your convenience.

Sincerely,

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

enclosures

NOT TO SCALE



RUSSELL C. WIRT IRRIGATION SYSTEM #1
Owner: Russell C. Wirt
Parker, S. Dak. 57053

R. 53 W.

32

5

147.5

71.0

3-23

Area To Be Irrigated:

S $\frac{1}{2}$ NE $\frac{1}{4}$ 5-98-53

115 Rods - 45° W.

Proposed Irrigation
Well #1.

74.3

T. 98 N.

67.8

150.0

65.2

98.53

68.3

61.7

48.9

3-23

~~APR 11 1953~~
APR 11 1953



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: RUSSELL WIRT, 27813 454TH AVE, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** 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) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, 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/E0455V6-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.

3955-3

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Label/Receipt Number: 2303 2160 0000 0802 4889
Status: **Delivered**

Your item was delivered at 10:57 AM on January 19, 2008 in PARKER, SD 57053. The item was signed for by R WIRT.

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United States Postal Service



United States Postal Service

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4889	
RUSSELL WIRT 27813 454TH AVE PARKER SD 57053	
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	
☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 2008

3955-3
5024-3

Russell Wirt
27813 454th Ave
Parker SD 57053

Dear Mr. Wirt:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 3955-3 and 5024-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

As you requested, I am enclosing a form to file an ownership change on Water Right No. 5024-3. You indicated your son now owns the land. I have included a copy of the water right for his review.

The enclosed transfer form will need to be completed and signed by your son. Upon completion, please return the form to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the "Water Rights Program".

If you have any questions, please contact me.

Sincerely,

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



3955-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: RANDY WIRT, OPERATOR, 27811 455TH AVE, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held at **10:00 am, March 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. 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) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

3955-3

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Search Results

Label/Receipt Number: 2303 2160 0000 0802 6364
Status: **Delivered**

Your item was delivered at 11:12 AM on January 24, 2009 in PARKER, SD 57053. The item was signed for by R WIRT.

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FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
4999 2080 0000 0802 6364

RANDY WIRT, OPERATOR
27811 455TH AVE
PARKER SD 57053

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

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2009

3955-3
5024-3

Randy Wirt
27811 455th Ave
Parker SD 57053

Dear Mr. Wirt:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 3955-3 and 5024-3.

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

If you have any questions, please contact me.

Sincerely,

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

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



3955-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: RANDY WIRT, 27811 455TH AVE, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



3955-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 3, 2015

3955-3
5024-3

Randy Wirt
27811 455th Ave
Parker SD 57053

Dear Mr. Wirt:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires for the following:

- Water Right No. 5024-3, listed in your name, and
- Water Right No. 3955-3 listed in the name of Russell Wirt

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for these water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2018

3955-3

Bonnie Wirt
27813 454th Ave
Parker SD 57053

Dear Ms. Wirt:

On January 29, 2018, we received irrigation questionnaires from Randy Wirt indicating Water Right No. 3955-3 should be transferred to you.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions when reviewing the enclosed form, please let me know.

Sincerely,

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

enclosure

RECEIVED

FEB 01 2018

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3955-3

Date: 1/29/18

I/We request that Water Right No. 3955-3

formerly owned by: Russell Wirt

be transferred to: (name & address) Bonnie Wirt, 27813 454th Ave, Parker SD 57053

Telephone No. 605-297-4938

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

61 acres located in the S ½ NE ¼ Section 5, T98N, R53W

I/We understand that the validity of Water Right No. 3955-3 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 Bonnie L. Wirt, the new owner, certify that the above information is true and correct.
Bonnie L. Wirt

Bonnie L. Wirt
(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 1, 20 18

RECEIVED OF Bonnie Wirt Living Trust 27813 454th Ave Parker, SD 57053

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 _____ 3955-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08561**

By Jeanne Goodman
Chief Engineer Jm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2018

3955-3

Bonnie Wirt
27813 454th Ave
Parker SD 57053

Dear Ms. Wirt:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Right No. 3955-3.

The ownership change has been completed. Water Right No. 3955-3 formerly held by Russell Wirt is now listed in your name.

Enclosed for your records is Receipt No. 08561 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

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

enclosure

3955-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: RANDY WIRT, OPERATOR, 27811 455TH AVE, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: AOTUOD**

C: BONNIE WIRT, 27813 454TH AVE, PARKER SD 57053

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.

3955-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 2, 2021

3955-3
5024-3

Randy Wirt
27811 455th Ave
Parker SD 57053

Dear Mr. Wirt:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 3955-3 and 5024-3. 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 blue ink that reads "Genny McMath". The signature is fluid and cursive.

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: RANDY WIRT, OPERATOR, 27811 455TH AVE, PARKER, SD 57053
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

c: BONNIE WIRT, 27813 454TH AVE, PARKER SD 57053

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.

3955-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 23, 2023

3955-3
5024-3

Randy Wirt
27811 455th Ave
Parker SD 57053

Dear Mr. Wirt:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 3955-3 and 5024-3. 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

c: Bonnie Wirt

5024-3
3955-3

Dewell, Amanda

From: Dewell, Amanda
Sent: Tuesday, October 29, 2024 8:28 AM
To: Chris Wirt
Subject: RE: [EXT] 2024 IRRIGATION QUESTIONNAIRES

Chris,

[Water Right No. 5024-3](#), held by Randy Wirt is authorized for the irrigation of 61 acres in the N ½ NE ¼ Sec 5-T98N-R53W @ 390 GPM.

[Water Right No. 3955-3](#), held by Bonnie Wirt (operated by Randy) is authorized for the irrigation of 61 acres in the S ½ NE ¼ Sec 5-T98N-R53W @ 390 GPM.

With Randy's passing, a transfer of ownership will be required by the new owner. Do you plan to take over irrigation practices yourself, or will the property be sold? The transfer is a simple form which I would put together and the fee is \$50/transfer.

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



From: Chris Wirt <wirtfarms@gmail.com>
Sent: Tuesday, October 29, 2024 8:06 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: Re: [EXT] 2024 IRRIGATION QUESTIONNAIRES

I don't know how many gallons per minute the irrigator uses, and I don't have a report from last year. Would you be able to tell me that? I could figure it out from there.
Thank you for your help with this.

Chris Wirt

On Mon, Oct 28, 2024 at 4:37 PM Dewell, Amanda <Amanda.Dewell@state.sd.us> wrote:

2024 IRRIGATION QUESTIONNAIRE

Annual irrigation questionnaires were mailed out to the address on file, October 23, 2024, and are due December 2, 2024.



**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: RANDY WIRT, OPERATOR, 27811 455TH AVE, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 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) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

cc: BONNIE WIRT, 27813 454TH AVE, PARKER SD 57053

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 17, 2025

3955-3 & 5024-3

Randy Wirt
27811 455th Ave
Parker SD 57053

Dear Mr. Wirt:

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). 3955-3 & 5024-3. 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: BONNIE WIRT, 27813 454TH AVE, PARKER SD 57053

3955-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: RANDY WIRT, OPERATOR, 27811 455TH AVE, PARKER, SD 57053

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaires

Our records indicate your 2025 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3955-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5024-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 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) 5024-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3955-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: UKJEHG**

cc: **BONNIE WIRT, 27813 454TH AVE, PARKER SD 57053**

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

March 6, 2026

NOTICE OF AMENDMENT OF WATER RIGHT

TO: Bonnie Wirt, 27813 454th Ave, Parker SD 57053

FROM: Adam Mathiowetz, PE, Acting Chief Engineer
DANR - Water Rights Program

SUBJECT: Amendment to Water Right No. 3955-3

On March 4, 2026, the South Dakota Water Management Board amended Water Right No. 3955-3 to add the following qualification:

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

This action was taken by the Board for failure to return the 2025 irrigation questionnaire. The addition of this qualification means that failure to submit the irrigation questionnaire in the future could result in suspension or cancellation of the Water Right.

Please contact Amanda Dewell, Water Rights Permitting Administrator, with any questions (605) 773-3352.

Cc: Randy Wirt (operator), 27811 455th Ave, Parker SD 57053

7021 1970 0000 9489 8629

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☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Post \$	
Sent To Street and City, State,	Randy Wirt 27811 455th Ave Parker SD 57053
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7021 1970 0000 9489 8612

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☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Po \$	
Sent To Street ai City, Sta	Bonnie Wirt 27813 454th Ave Parker SD 57053
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF AMENDMENT OF WATER RIGHT dated March 6, 2026, via certified mail to the following parties.

Blake Wollman
733 Burr Dr
Rock Springs, Wy 82901

Bonnie Wirt
27813 454th Ave
Parker, SD 57053

Leroy Wetz
14164 Wetz Rd
Vale, SD 57788

Randy Wirt
27811 455th Ave
Parker, SD 57053

John or Richard Vasgaard
28746 462nd Ave
Centerville, SD 57104

Kory Standy
PO Box 114
Platte, SD 57369

Prairie Hills Covenant Church
6000 E 33rd St
Sioux Falls, SD 57110

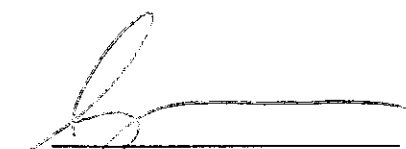
Bluffs Townhomes Assoc.
2806 Ridgeview Way
Sioux Falls, SD 57105

Donald Goetz
PO Box 43
Akasaka, SD 57420

Louann Soukup
40229 County Rd 2
Wagner, SD 57380

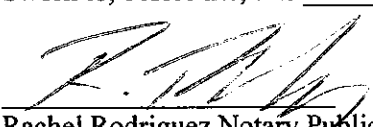
Richard Bollman
2425 Taylor Dr
Sheboygan, WI 53081

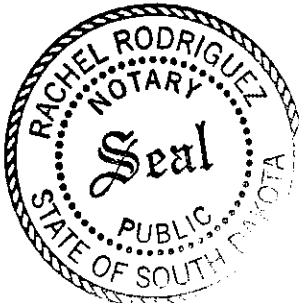
Jacob Rausch
16080 Low Spring Creek Rd
Hermosa, SD 57744


Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6th day of March, 20 26

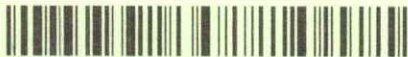

Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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.

Randy Wirt
27811 455th Ave
Parker SD 57053



9590 9402 6392 0303 3262 49

Article Number (Transfer from service label)

7021 1970 0000 9489 8629

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Chris Wirt

☐ Agent☐ Addressee

B. Received by (Printed Name)

Chris Wirt

C. Date of Delivery

3-11

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

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6392 0303 3262 49

United States
Postal Service

RECEIVED

MAR 16 2026

OFFICE OF
WATER

• Sender: Please print your name, address, and ZIP+4® in this box •

DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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.

Bonnie Wirt
27813 454th Ave
Parker SD 57053



9590 9402 6392 0303 3262 25

2. Article Number (Transfer from service label)

7021 1970 0000 9489 8612

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Bonnie L. Wirt

☐ Agent

☒ Addressee

B. Received by (Printed Name)

Bonnie Wirt

C. Date of Delivery

3-13-26

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery
(over \$500)

☐ Priority Mail Express®

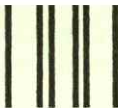
☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation
Restricted Delivery

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6392 0303 3262 25

United States
Postal Service

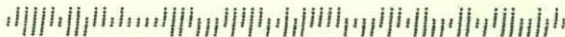
RECEIVED

MAR 17 2026

OFFICE OF
WATER

• Sender: Please print your name, address, and ZIP+4® in this box •

DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 3955-3

Date: March 12, 2026

I/We request that Water Right/Permit No. 3955-3 formerly owned by:
Bonnie Wirt - Parker SD

be transferred to:

New Owner Name: Chris Wirt
Address: 27811 455th Avenue Mobile: 605-366-3541
City, State, Zip: Parker SD 57053 email: wirtfarms@gmail.com

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

S 1/2 NE 1/4 Sec 5-T98N-R53W
61 acres

☒ I understand that the validity of Water Right/Permit No. 3955-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Chris Wirt, the new owner, certify that the above information is true and correct.

Chris Wirt
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

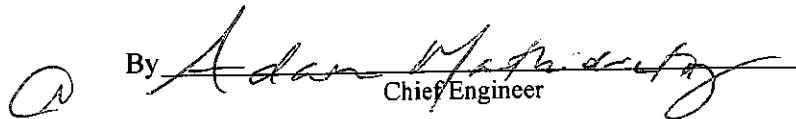
Date March 12, 2026

RECEIVED OF Chris Wirt 27844 455th Avenue Parker, SD 57053

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form #3955-3	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By


Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 13, 2026

3955-3

Chris Wirt
27844 455th Avenue
Parker, SD 57053

Dear Mr. Wirt:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fee you submitted for Water Right No. 3955-3. Enclosed is the receipt of payment for your records.

Water Right No. 3955-3, previously held by Bonnie Wirt, is now listed under your name. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copies enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 3955-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 13, 2026

3955-3

Chris Wirt
27811 455th Ave
Parker, SD 57053

Dear Mr. Wirt:

This letter acknowledges receipt of your 2025 irrigation questionnaire that you submitted on March 12, 2026, for Water Right No. 3955-3.

The Water Management Board moved to suspend the water right listed above for one year if the required questionnaire was not submitted by April 4, 2026. Since we have now received your information, the prior "Notice of Entry of Order for One Year Suspension" no longer applies and may be disregarded.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us