

Considered: _____

WATER PERMIT NO. 4984A-3

Phone: 432-4009

Name or Applicant: Richard Will

Post Office Address: RR #1 Box 70, Milbank, SD 57252

Amount of Water Claimed: no add'l Total Acres: no add'l (280 acres)

Source of Water Supply: groundwater

Water to be used for: irrigation County: Grant

About 7 miles South of Milbank

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: July 2, 1990 Fee: \$50.00 Remarks specify the

correct location of a groundwater well

Corrected Application Received August 1, 1990 Period of Annual Use April 1 - Oct. 31

WATER QUALITY APPROVAL RECEIVED confirmed valid 8/2 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: NW1/4 SW1/4 Section 11 T119N-

R48W

Land to be Irrigated: SW1/4, NW1/4 Sect. 11 T119N

R48W

Well Log: Driller: Kaiser Well Works Licensed YES X NO _____

Depth of Well: 75' REMARKS _____

Type of Map: ASCS Aerial PREPARED BY: Dave Johnson Reviewed and the Number

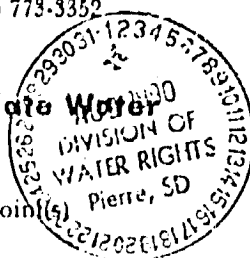
Assigned on 8/7/90 By Eric Gronlund

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

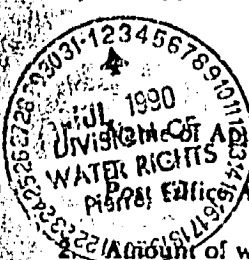
(See instructions)

No. _____ Hydrologic Unit _____
Basin _____
Newspaper _____

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water



- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



Applicant RICHARD WILL Phone No. 432-4009
 Address RR 1 Box 70 MILBARK State SD Zip Code 57252
(Street, RR or Box) (City) (State) (Zip Code)

Amount of water claimed (c.f.s) No ADDITIONAL Total acres irrigated 274 (SEE PERMIT 4084-3)

3. Source of Water supply GROUND WATER
 4. Location of point of diversion NW 1/4 NW 1/4 SW 1/4 OF SECTION 11-T119N-R48W

- County GRANT
 5. Counties where water will be used GRANT
 6. Annual period during which water is to be used APRIL - OCTOBER 31
 7. 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.
NE 1/4 SW 1/4 Sec 11-119-48	40
SE 1/4 SW 1/4 Sec 11-119-48	40
SW 1/4 SW 1/4 Sec 11-119-48	40
NW 1/4 SW 1/4 Sec 11-119-48	40

Land Description	No. Acres Irr.
NE 1/4 NW 1/4 Sec 11-119-48	37
NW 1/4 NW 1/4 Sec 11-119-48	37
S 1/2 NW 1/4 Sec 11-119-48	40

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: X Other: _____
 9. Crops to be Irrigated: CORN, SMALL GRAINS, SOYBEANS, ALFALFA
 10. Give a description of proposed project. (Attach sheet if more space is needed) TO CHANGE THE DIVERSION POINT FOR WATER APPROPRIATED UNDER WATER PERMIT 4084-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of GRANT)⁵⁵

I, Richard Will, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Richard Will

Subscribed and sworn to before me this 12th day of July, 1990
Notary Public Expires Sept. 18, 1991

Bill [Signature]
Notary Public

9-10-11

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter Don't Know Depth 70'
- b) Casing Type Steel Diameter 14" Thickness 1/4"
- c) Screen Type Johnson 20' Diameter 14" Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 12 1/2'
- g) Distance to nearest existing domestic well:
 On applicants property 1300' On property owned by others 1000'

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

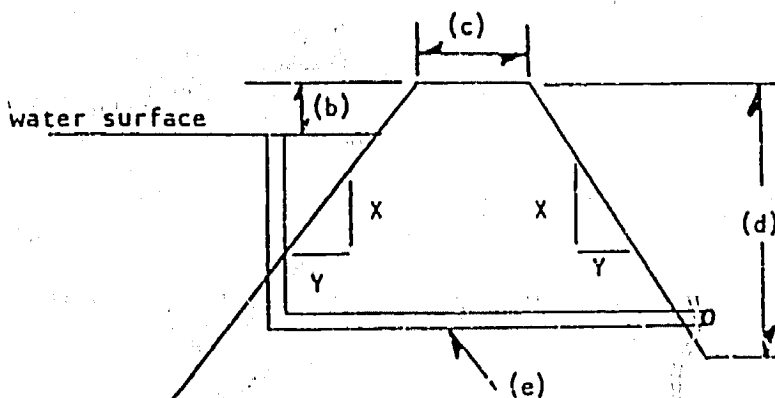
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Richard Will
 Signature of Applicant

SOUTH DAKOTA
WATER PERMIT No. 4084A-3 FOR IRRIGATION

Date of first receipt of application July 2, 1990.
Date Soil/Water Compatibility Permit received August 16, 1977.
Date of return to applicant for corrections, amendments or changes
July 3, 1990.
Date of receipt of corrected application August 1, 1990.

The Water Management Board approved Water Permit Application No. 4084A-3 on October 3, 1990 for Richard Will, RR #1, Box 70, Milbank, SD 57252 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 4084A-3 specifies the correct location of the one existing irrigation well. An inspection of Water Permit No. 4084-3 found one well (Wilmot Aquifer) 70 feet deep capable of diverting 1.0 cubic feet of water per second irrigating 254 acres located in the SW1/4, NW1/4 Section 11 T119N-R48W. The correct location of the well is the NW1/4 SW1/4 Section 11 T119N-R48W. This Permit does not authorize any increase in the diversion rate or acres irrigated.
2. The amount of the appropriation may not exceed 3 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is June 20, 1977.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

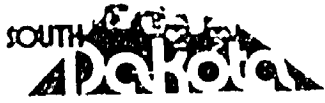
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 19 1990
(date)



Department of Water & Natural Resources

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

DEC 19 1990

Richard Will
RR 1 Box 70
Milbank, South Dakota 57252

Dear Mr. Will:

Enclosed is Water Permit No. 4084A-3 as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours

A handwritten signature in cursive script that reads "John Hatch".

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

enclosures

Report on
Water Permit Application No. 4084A-3
Richard Will
August 14, 1990

Application No. 4084A-3, Richard Will, proposes to correct the location of the point of diversion covered under Water Permit No. 4084-3. An inspection of Water Permit No. 4084-3 on April 18, 1990 found the diversion point to be in a different location than what was covered under the water permit. Water Permit No. 4084-3 listed two diversion points, well #1 was to be located at the center of the SW1/4 of Section 11-T119N-R48W and well #2 was to be located 600' south of well #1. The actual location of the single diversion point is 100' east and 2390' north of the SW corner of Section 11. This diversion point is at a distance greater than 660' from either of the original points of diversion. There is to be no additional diversion beyond the 4.0 cubic feet of water per second (cfs) already appropriated under Water Permit No. 4084-3. The inspection of Water Permit No. 4084-3 found that the irrigation system capacity is 1.0 cfs.

Water Source

The proposed diversion point would be from a completed well which has been drilled to a depth of 70 feet into the Wilmot Aquifer. The well is located within 1400 feet of Observation well GT-79G. Water level records for the observation well reflect fairly constant reading with some yearly fluctuations.

Review of Existing Water Rights

There are no existing Water Rights located within several miles of the diversion point. There would be no interference expected with any other water right.

Conclusions

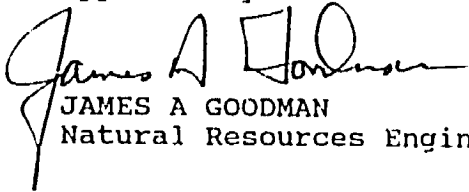
1. Water is available for the proposed diversion point from the Wilmot Aquifer.
2. There is to be no additional diversion of water beyond the 4.0 cfs which has already been appropriated under the existing permit. The inspection of Water Permit No. 4084-3 found that the system capacity is 1.0 cfs and the Water Right will be licensed that way.

3. There should be no interference with existing Water Rights.
4. Observation well records reflect fairly constant readings with some yearly fluctuations.



MARK D. RATH
Natural Resources Engineer II

Approved by:



JAMES A GOODMAN
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4084A-3, Richard Will

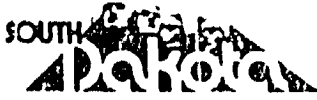
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4084A-3, Richard Will, RR #1 Box 70, Milbank SD.

The Chief Engineer is recommending APPROVAL of Application No. 4084A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
August 22, 1990



Department of Water & Natural Resources

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

August 23, 1990

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Richard Will
RR #1 Box 70
Milbank SD 57252

Dear Mr. Will:

Water Permit Application No. 4084A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Grant Co. Review printed at Milbank SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Eric Gronlund /KS
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

August 23, 1990

Grant Co. Review
Box 390
Milbank SD 57252

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 4084A-3 to be published twice. Please publish the first notice on or before August 29, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Richard Will, RR #1 Box 70, Milbank SD 57252.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before August 29, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4084A-3 to Correct
Water Permit No. 4084-3

Notice is given that Richard Will, RR #1 Box 70, Milbank SD 57252 has filed an application for a water permit to specify the correct location of an existing irrigation well. Water Permit No. 4084-3 appropriates 4.0 cubic feet of water per second to irrigate 280 acres located in the SW1/4, NW1/4 Section 11-T119N-R48W. The wells were to be located in the center of the SW1/4, N1/2 SW1/4 of Section 11-T119N-R48W. The correct location of the one developed well is the NW1/4 SW1/4 Section 11-T119N-R48W. This application, if approved does not authorize any increase in diversion rate or acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4084A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in the Community Room, Brule Co. Courthouse, 300 S. Courtland, Chamberlain, SD on October 3, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 21, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County GRANT) ss.

I, Clarence Justice

certify that the attached printed Notice was taken
from the Grant County Review

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

Cilly of Milbank

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

August 29, 1990 and September 5, 1990

(Signature)

Foreman

(Title)

September 5, 1990

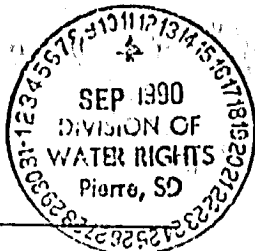
(Date Signed)

Cost of Printing: _____

First Publication - 85 lines @ .2765 - 23.50

Second Publication - 80% of above - 18.80

Total 42.50



NOTICE OF HEARING

On Application No. 4084A-3 to Correct
Water Permit No. 4081-3

Notice is given that Richard Will, RR
No. 1 Box 70, Milbank, SD 57252 has
filed an application for a water permit
to specify the correct location of an
existing irrigation well, Water Permit
No. 4084-3 appropriates 4.0 cubic feet of
water per second to irrigate 280 acres
located in the SW 1/4, NW 1/4, Section 11-
T119N-R48W. The wells were to be
located in the center of the SW 1/4, NW
SW 1/4 of Section 11-T119N-R48W. The
correct location of the one developed
well is the NW 1/4 SW 1/4, Section 11-
T119N-R48W. This application if ap-
proved does not authorize any increase
in diversion rate or acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief
Engineer of the Water Rights Division
recommends APPROVAL of Applica-
tion No. 4084A-3 because: 1) existing
rights will not be unlawfully impaired;
2) it is a beneficial use of water and 3) it
is in the public interest. This applica-
tion will be considered by the Water
Management Board in the Community
Room, Brule Co. Courthouse, 500 E.
Courtland, Chamberlain, SD on Octo-
ber 3, 1990, at 10:00 a.m. The Chief
Engineer's recommendation is not final
or binding upon the Board. The Board is
authorized to: 1) approve, 2) approve
with qualifications, 3) defer or 4) deny
this application based on the facts pre-
sented at the public hearing.

Any interested person that intends to
participate in the hearing before the
Board by presenting evidence or cross-
examining witnesses according to
SDCL 1-28, must file a written petition
with BOTH the applicant and Chief
Engineer by September 21, 1990. The
Chief Engineer's address is: Water
Rights Division, Foss Building, 523 E.
Capitol, Pierre SD 57501 (605-733-3521).
The petition may be informal, but must
include a statement describing the
petitioner's interest in the application,
the petitioner's reasons for opposing or
supporting the application and the sig-
nature and mailing address of the peti-
tioner or legal counsel if legal counsel is
obtained. The applicant need not file a
petition. Contact the Water Rights
Division to request information on this
application or to assure access to the
hearing by the handicapped.

This hearing is an adversary pro-
ceeding. Any person filing a petition
and/or the applicant have the right to be
represented by a lawyer. These and
other due process rights will be for-
feited if not exercised. Decisions of the
Board may be appealed to the Circuit
Court and State Supreme Court as pro-
vided by law. The time of the hearing
will also be automatically delayed for
at least twenty days upon written re-
quest to the Chief Engineer from the
applicant or a petitioner. The request
for a delay must be received by
September 21, 1990.

This application is made pursuant to
SDCL 46-1-1 thru 46-1-9, 46-1-12 thru
46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13,



Department of Water & Natural Resources

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

July 3, 1990

Richard Will
RR# 1 Box 70
Milbank, SD 57252

Dear Mr. Will:

This letter is in regards to the water permit application received by the office on July 2, 1990. There are a few requirements that must be met before this is a complete application. They are as follows:

1. The application must be notarized (original application attached).
2. The map you submitted must be signed by one of the following: 1) SD Registered Land Surveyor; 2) SD Registered Professional Engineer; 3) governmental employee who normally prepares maps as part of his assigned duties (map attached).
3. Are the two wells authorized under Permit No. 4084-3 going to be abandoned or used in conjunction with this new well? If the other wells are to be used then this application would be for an additional diversion point.

Please address these above mentioned issues, and send return the application to me. Once I have a complete application, I will continue with processing your permit.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Water Rights Division
605 773-3352

attachments

Water Rights Division - DWR
Conversation File Documentation

NAME OF PERSON OR FILE: Richard Will

ADDRESS: Milbank

COUNTY: Grant

DATE: 8/2/90

TELEPHONE:

RE: Soil-Water Compatibility Permit

COMMENTS:

The Soil-Water Compatibility Permit received August 17, 1977 is valid for this correction since the developed well is only 1623 feet from the previously permitted well.

File in Permit or ther file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: C. H. [unclear]

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 3, 1990

RECEIVED OF Richard Hill RR #1 Box 70, Milbank, SD 7

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

Fee for Application for Permit No. 40840-3 to Appropriate Water, to construct works 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		
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 [Signature]
Chief Engineer

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 Richard Will

ADDRESS Milbank, SD

COUNTY Grant

LEGAL DESCRIPTION

1. WELL LOCATION Center of SW $\frac{1}{4}$ of Sec 11 119-48 600 ft. South of Center of
SW $\frac{1}{4}$ Sec 11 119-48
2. LOCATION OF AREA TO BE IRRIGATED _____

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Alfalfa, Corn, Small Grain

WATER QUALITY

5. SAMPLE NUMBER Home well #1 77-921 com well #2 77-922
6. SALINITY (EC X 10⁶) 2383 (very high) ← 3007
7. SODIUM (SAR) 2.83 (low) 1.82
8. RESIDUAL SODIUM CARBONATE (meq/l.) c c

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 _____ 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.

Richard D Will
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
10 DAY OF June 19 77.

Valerie M. Larson
(TITLE OR SEAL)

Alfred J. Hoff
APPROVED/RECORDED
Conditional

(SOILS INFORMATION ON REVERSE SIDE)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 28, 1991

RECEIVED OF Richard Hill, Rte 1 Box 70, Milbank, SD 57252

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 Permit No. 4084A-5</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

John H. H. H. H.
Chief Engineer

Permit No. 4084-3 & 4084A-3

Minnesota 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 Richard Will

of Milbank, SD holder of Permit No. 4084-3 & 4084A-3, bearing the priority of 6/20/1977 authorizing the diversion of 4.0 cu. ft.

per second of the waters of groundwater for irrigation purposes, in Grant County.

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

A. Works used to divert the water:

A Berkley Centrifugal model B4J pump with a 450 GPM capacity, powered by a John Deere 4020 tractor.

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

4200 feet of 6 and 8 inch aluminum pipe.

C. Works used to apply water to beneficial use:

A Boss big gun with a 1 2/3 inch nozzle. The capacity is 450 GPM.

The system is in the following condition good. The point of diversion is located from the SW corner of Section 11-T119N-R48W 2390' N. 100' E. The worksare capable of diverting and conveying to the place of use 1.0 cu. ft. per second of waterwhich is to be used for irrigation. Water has been put to beneficial use to the maximum extent asfollows: all lands located in Section 11-T119N-R48W:NW1/4 NW1/4 - 35 ac NW1/4 SW1/4 - 40 acNE1/4 NW1/4 - 35 ac NE1/4 SW1/4 - 40 acSE1/4 NW1/4 - 12 ac SE1/4 SW1/4 - 40 acSW1/4 NW1/4 - 12 ac SW1/4 SW1/4 - 40 accomprising a total of 254 acres of land and the license should be issued for 1.0 cfs.Application permit qualifications have been complied with X Yes No

Exceptions to compliance are:

Date 4/16/90

Mark D. Rath

Natural Resources Engineer II
DWR, Water Rights Division

LICENSE FOR PERMIT NUMBER 4084-3 & 4084A-3

1. Legal location of wells: From the SW corner of Section 11
T119N-R48W - 2390' North, 100' East

Dams and Structures

2. Well Information: Well Drilling Firm Kaiser

Completion Report? Yes ☒ No ☐ No. of Wells 1 Depth(s) 65 feet

Casing a) diameter 14 inches Screen a) type stainless steel
b) length 50 feet b) length 15 feet
c) type steel Static Water Level 5 feet

Pump a) make Berkley Centrifugal Motor a) make John Deere
b) model B4J b) model no. 4020
c) size c) horsepower rating 65
d) capacity 450 GPM d) serial no.
e) turbine pump - no. of stages
f) operating PSI 65

3. Distribution lines or canals

a) size 6 & 8 inches
b) type aluminum
c) length 4200 feet

4. Dam Information:

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

5. System Type a) sideroll:

- 1) length feet
- 2) diameter of pipe inches
- 3) make, model & number of sprinklers
- 4) spacing of sprinklers feet
- 5) nozzle size

c)gun:

- 1) make Boss
- 2) nozzle size 1 2/3"
- 3) capacity (GPM) 450
- 4) hose size 4 inches
- 5) hose length 660 feet

e) gated pipe:

- 1) length feet
- 2) diameter inches
- 3) spacing of gates inches

f) portable boom:

- 1) make
- 2) nozzle size
- 3) capacity (GPM)

b) towline:

- 1) length feet
- 2) make, model & number of sprinklers
- 3) spacing of sprinklers
- 4) nozzle size

d) center pivot:

- 1) make
- 2) number of towers
- 3) distance between towers
- 4) overall length feet
- 5) end gun (Y/N)
- 6) high or low pressure
- i) make and size of nozzles

- 8) capacity (GPM)

g) siphons:

- 1) size inches
- 2) number

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes	No	Check Items
<u>Y</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>Y</u>		2. Special qualifications to permit being abided by?
<u>Y</u>		3. All structures, wells and lands on map?
<u>Y</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
	<u>N</u>	5. Is chemigation used?
	<u>NA</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:

Kaiser's Well Works De Smet, South Dakota 57231

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS

Ph. 854-3744



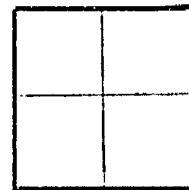
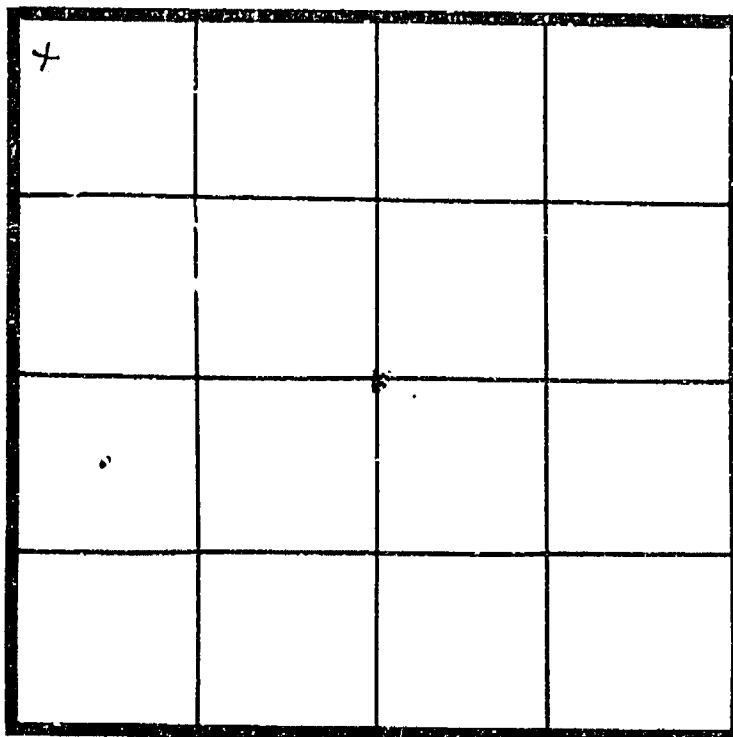
Name Richard W. Hill

Location Milbank, S.D.

Township VERNON

Section 11-

42-4-3



Test hole No. 1

Data

Top soil	0' - 6"
yellow clay	6" - 10'
BLUE clay	10' - 15'
GRAVEL	15' - 34'
BLUE clay shelf	34' - 35'
GRAVEL	35' - 50'
SAND Medium M	50' - 60'
SAND w/ Rocks	60' - 70'
BLUE clay	70' - 75'

Test hole No. 2

Data

STATIC LEVEL	4'-10"
CASED 4" TO	46'
observation well is	20'
from top well	

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4084A-3

(1) Richard Will of RR 1, Box 70, Milbank, SD 57252 made Application No. 4084A-3, July 2, 1990 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one existing well), Grant County, South Dakota for irrigation purposes. Permit No. 4084A-3 with a priority date of June 20, 1977 (established by Permit No. 4084-3 was approved October 3, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 4084A-3 specifies the correct location of an existing irrigation well. Permit No. 4084A-3 did not authorize an increase in the diversion rate or acreage irrigated.

The applicable portions of Water Permit No. 4084-3 are incorporated into this Water License No. 4084A-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.00 cubic feet of water per second for beneficial use. The location of the diversion point(s) is: 2390'N and 100'E of the SW corner of Section 11, T119N, R48W (NW 1/4 SW 1/4).

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

T119N, R48W Section 11

NW 1/4 NW 1/4	35 Acres
NE 1/4 NW 1/4	35 Acres
SE 1/4 NW 1/4	12 Acres
SW 1/4 NW 1/4	12 Acres
NW 1/4 SW 1/4	40 Acres
NE 1/4 SW 1/4	40 Acres
SE 1/4 SW 1/4	40 Acres
SW 1/4 SW 1/4	40 Acres
Total -----	254 Acres

(4) Pursuant to Section 46-5-30.1 Richard Will of RR 1, Box 70, Milbank, SD 57252 the holder(s) and/or owner(s) of Incorporated No. 4084A-3 is issued a license to appropriate water, the right to use 1.00 cubic feet of water per second from groundwater (one well) with a priority date of June 20, 1977 from the location

specified in (2) of this license. The water is 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 Incorporated No. 4084A-3 and subject to South Dakota State Law.



MAY 29 1991

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

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 29 1991

4084A-3

Richard Will
RR 1, Box 70
Milbank, SD 57252

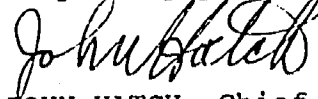
Dear Mr. Will:

Enclosed is Water License No. 4084A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412561 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. 4084A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,



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

enclosures

NOTE: The applicable portions of Water Permit No. 4084-3 are incorporated into this Water License No. 4084A-3.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

RICHARD WILL
RR 1 BOX 70
MILBANK SD 57252

4084A-3

4a. Article Number

P378 080588

4b. Service Type

- ☐ Registered
☐ Express Mail

- ☒ Certified
☐ Insured
☐ COD

7. Date of Delivery

2-7-97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Richard Will*

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



February 4, 1997

4084A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3131

NOTICE

TO: RICHARD WILL, RR 1 BOX 70, MILBANK, SD 57252

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

SUBJECT: Violation of Water Permit No(s). 4084A-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in 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. 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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1997

4084A-3

Richard Will
15536 482nd Ave
Milbank, SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of Water Permit No. 4084A-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



4084A-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: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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 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. 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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

4084A-3

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

RICHARD WILL
15536 482ND AVE
MILBANK SD 57252

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

E. WILL

C. Signature

X *Richard Will* ☐ Agent ☐ Addressee

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2227670240



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2000

4084A-3

Richard Will
15536 482nd Ave
Milbank, SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 4084A-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

4084A-3

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

RICHARD WILL
15536 482ND AVE
MILBANK SD 57252

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent
☐ Addressee

D. Is delivery address different from item 17 ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 1792

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



4084A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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 7, 2001 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. 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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, 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 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2001

4084A-3

Richard Will
15536 482nd Ave
Milbank, SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 4084A-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



4084A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

www.state.sd.us/denr

January 16, 2002

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No. 4084A-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No. 4084A-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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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. 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, 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 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.

4084A-3

■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Received by (Please Print Clearly) <i>Richard Will</i> B. Date of Delivery <i>011802</i>
1. Article Addressed to: RICHARD WILL 15536 482ND AVE MILBANK SD 57252	C. Signature <i>X Richard Will</i> ☐ Agent ☐ Addressee D. Is delivery address different from Item 1? ☒ Yes ☐ No If YES, enter delivery address: 3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail 4. Restricted Delivery? (Extra Fee) ☐ Yes

7001 2510 0004 4797 3664

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2002

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 4084A-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



4084A-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: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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



4084A-3

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Delivery Status

You entered 2301 0370 0000 7541 4395

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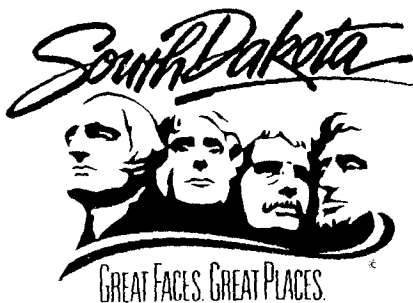
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February 18, 2003

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 4084A-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



4084A-3

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January 14, 2004

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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



4084A-3

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Current Status

You entered 2301 3460 0000 8515 9821

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RICHARD WILL
15536 482ND AVE
MILBANK SD 57252

Waiver of Signature ☐ YES ☐ NO

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January 21, 2004

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 4084A-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



4084A-3

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January 24, 2006

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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



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RICHARD WILL
15536 482ND AVE
MILBANK SD 57252

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February 1, 2006

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 4084A-3.

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

If you have any questions, please contact me.

Sincerely,

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



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January 18, 2008

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

4084A-3

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January 24, 2008

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 4084A-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



4084A-3
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January 23, 2009

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

4084A-3

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15536 482ND AVE
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Waiver of Signature ☐ YES ☐ NO

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February 9, 2009

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 4084A-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



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January 21, 2011

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

4084A-3

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- Sorting Complete, January 22, 2011, 10:23 am, MILBANK, SD 57252
- Arrival at Post Office, January 22, 2011, 7:57 am, MILBANK, SD 57252

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SIGNATURE CONFIRMATION NUMBER:
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RICHARD WILL
15536 482ND AVE
MILBANK SD 57252

Waiver of Signature ☐ YES ☐ NOPostmark
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February 25, 2011

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 4084A-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
email: genny.mcmath@state.sd.us



4084A-3
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January 24, 2012

NOTICE

TO: RICHARD WILL, 15536 482ND AVE, MILBANK, SD 57252
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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 7, 2012** 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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2012

4084A-3

Richard Will
15536 482nd Ave
Milbank SD 57252

Dear Mr. Will:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire. The form was actually received the morning after we sent out the notice scheduling a hearing.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 4084A-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

4084A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 24, 2013

NOTICE

TO: RICHARD WILL, 1104 VISTA DR, MILBANK, SD 57252 3212

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



4084A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 8, 2013

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: RICHARD WILL, 1104 VISTA DR, MILBANK, SD 57252 3212

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: One Year Suspension of Water Right No. 4084A-3

On March 7, 2013, the Water Management Board ordered:

Effective April 7, 2013, Water Right No. 4084A-3 be suspended for the 2013 irrigation season for failure to submit the 2012 irrigation questionnaire.

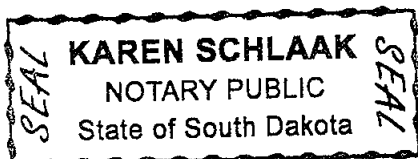
If the 2012 irrigation questionnaire is received prior to April 7, 2013 the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2013 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2013 unless the irrigation questionnaire is submitted by April 7th.

After April 7th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2012 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 1 and 2, 2013 in Pierre, SD. The letter should include your reasons for not completing the 2012 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.





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March 11, 2013

4084A-3

Richard Will
1104 Vista Dr
Milbank SD 57252

Dear Mr. Will:

On March 7th, the Water Management Board ordered Water Right No. 4084A-3 suspended if the 2012 irrigation questionnaire was not received prior to April 7, 2013. The questionnaire information for your water right has been received.

Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. You may irrigate during the 2013 irrigation season.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is fluid and cursive, with a large initial "G" and a long, sweeping underline.

Garland Erbele, Chief Engineer
Water Rights Program



4084A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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January 24, 2014

NOTICE

TO: RICHARD WILL, 1104 VISTA DR, MILBANK, SD 57252 3212

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



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February 13, 2014

4084A-3

Richard Will
1104 Vista Dr
Milbank SD 57252 3212

Dear Mr. Will:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 4084A-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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



4084A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 20, 2017

NOTICE

TO: RICHARD WILL, 1104 VISTA DR, MILBANK, SD 57252 3212
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



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PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 30, 2017

4084A-3

Richard Will
1104 Vista Dr
Milbank SD 57252

Dear Mr. Will:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 4084A-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



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January 22, 2021

NOTICE

TO: RICHARD WILL, 1104 VISTA DR, MILBANK, SD 57252 3212

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4084A-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4084A-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) 4084A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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.

4084A-3



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

4084A-3

Richard Will
1104 Vista Dr
Milbank SD 57252-3212

Dear Mr. Will:

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

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 4084A-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".

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