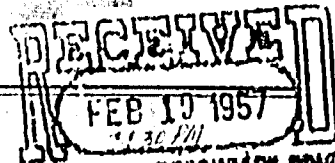


1. Considered May 15, 1957
2. Name of Applicant Ray McCann # 42023
3. Post Office Address Tyndall, S. Dak.
4. Amount of water claimed 1.7 cfs
5. Source of water supply Missouri River & E. Smith Creek
6. Water to be used for irrigation
Acres to be irrigated 119
7. Water to be diverted and used in San Pierre County about
10 miles north-east of Springfield
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

No. 420-3Water Division No. 2

(Blanks to be Filled by the Engineer for the W. H. C.)

Missouri RiverSTATE WATER RESOURCES COM.
SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant ROY McCANN OWNER GORDAN McCANN-FERTILIZER
 Postoffice address TYNDALL, County Bon Homme, State S. D.

I. If a corporation

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

CONTRACT

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ ADEQUATE

2. Name of diversion work ROY McCANN IRRIGATION PROJECT3. Amount of water claimed 1.4-1.7 cubic feet per second4. Source of water supply LEWIS CLARK LAKE5. Location of point of diversion 2640 on _____ bank _____ County.6. Annual period or periods during which water is to be used APRIL 1, Through Oct.

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- OVERHEAD SPRINKLING

(a) Number of acres to be irrigated 100 114 acres.(b) Legal subdivisions to be irrigated SW 1/4 Section 11, Twp 93 Range 59 - 160 A.

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____
 Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map 116. 319-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$ 1500⁰⁰

(c) Flaming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures PIPS & SPRINKLERS \$ 3760

Total, \$ 5300

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face ----- slope at back face ----- material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FEET CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet; Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Three years.

11. Time required for complete application of water to the proposed beneficial use Three years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

TYNDALL TRIBUNE & REGISTER

STATE OF SOUTH DAKOTA

County of Ben McInnis } ss.

I, Roy McCann OWNER - GORDAN McCANN TENANT, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Roy McCann - Gordon McCann

Subscribed and sworn to before me this 16th day of February 1922.

R. B. King
Notary Public (or other qualified officer.)

E Snatch Creek

260' 1/4 Cor.

2640'

Center Sec. II

THE GORDON OR ROY McCANN IRRIGATION PROJECT
PUMPING FROM THE MISSOURI RIVER AND OR EAST SNATCH CREEK - POINTS A,B,&C.

TOTAL - 119 ACRES

LOCATED IN SW 1/4 OF SEC. II-T93-R59 BON HOMME COUNTY SOUTH DAKOTA

SW 1/4 SEC. II-T93-R59

ALL N. OF COUNTY HIGHWAY 119 ACRES

Corn

26
19
14
119

10" PVC
1320'

8" PVC

Center Point

new AIF

Corn

AIF

County Highway R-of-W

Oats

S*SE 73 ACRES
Section II

I, Maurice Diehl, Registered Land Surveyor, have at the direction of Gordon McCANN made a survey to locate and to be irrigated and points A,B,&C to be used as control pump points, all located in SW 1/4 of Sec. II-T93-R59 BON HOMME COUNTY S. DAK. This plat of the above described project is to the best of my knowledge a true description of said project.
I certify that I have executed the above this 13th day of March 1957.

Maurice Diehl
Maurice Diehl Registered Land Surveyor

MISSOURI RIVER

Point of Diversion

STATE OF SOUTH DAKOTA) ss
COUNTY OF YANKTON) ss

On this the 13th day of March 1957, before me, Loretta Albrecht, the undersigned officer, personally appeared Maurice Diehl, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained in witness whereof I hereunto set my hand and official seal.

Loretta Albrecht
Notary Public - South Dakota

My commission expires: 9-1-59

Scale 1"=200'

Point of Diversion from Center of Section II
1320 ft West and 2100 ft south of
Hydramang

Map No. 319-3
Appl. No. 420-3

RECEIVED
APR 22 1957
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
WATER CONTROL DIVISION

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

February 28

1957

This is to certify that the foregoing application was received by the Commission at 3:30 o'clock

p. m. upon the 19 day of February, 1957.

State Water Resources Commission

By:

Joel Brinner

Chief Engineer, Executive Officer

Number of permit 420-3

Date of first receipt of application February 19, 1957

Date of return to applicant for correction, amendments or changes required as follows: February 28, 1957

Date of receipt of corrected application March 22, 1957

Date from which applicant may claim right February 19, 1957

Approved May 15, 1957, Recorded in Book 4 Page 84

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

November 15, 1958

2nd. The whole of said work is to be completed on or before May 15, 1960

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

May 15, 1960

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.70 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 15, 1960; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 18 day of June, 1957

State Water Resources Commission

By:

Joel Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

January 27, 1958

Water License Issued

January 27, 1958

Permit No. 420-3Water Division No. 3 Missouri
River Water District**Certificate of Completion of Works**

TO ALL : IT MAY CONCERN:

This is to Certify, That Roy McCann (Owner) & Gordon McCann (tenant)of Andall, County of Bon Homme, and State of
South Dakota, the holder H of Permit No. 420-3, issued upon Application
No. 420-3, bearing date of priority of February 19, 1957, authorizing the diversion of
1.70 cu. ft. per second of the waters of the Missouri River and East Snatch CreekCounty of Bon Homme, State of South Dakota, at between a point
260 feet north and a point 2640 feet east and 2640 feet south of the
W $\frac{1}{2}$ Cor., Sec. 11, T93N, R59W, forpurposes, have fully complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.70 cu. ft.per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,
to-wit: that part of the SW $\frac{1}{4}$, Sec. 11, T 93 N, R 59 W
lying north of the County Highway ----- 119 acresWitness my hand this 27th day of January A. D. 19 58

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 420-3

WHEREAS, On the 19th day of February A. D. 1957

Roy McCann (Owner) & Gordon McCann (tenant)

of Tyndall County of Bon Homme and State of South Dakota duly made application (No. 420-3) to us for a permit to use 1.70 cubic feet per second of the waters of the Missouri River and East Snatch Creek County of Bon Homme, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 18th day of June A. D. 1957 Permit No. 420-3 was issued to said applicant B for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 15th day of May A. D. 1960 and for the application to beneficial use of said water on or before the 15th day of May A. D. 1960 and,

WHEREAS, On the 22nd day of October A. D. 1957 the holder ES of said permit duly made proof of the completion of adequate works for the diversion of 1.70 cubic feet per second of said waters, as evidenced by our Certificate No. 420-3 dated January 27, 1958 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.70 cubic feet per second of water, with date of priority of February 19, 1957 and,

WHEREAS, On the 22nd day of October A. D. 1957 proof was duly made of the application to beneficial use of 1.70 cubic feet per second of said water; on 119 acres located in that part of the SW $\frac{1}{4}$ Sec. 11, T 93 N, R 59 W lying north of the County Highway

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Roy McCann (Owner) & Gordon McCann (Tenant)
of Tyndall, South Dakota the holder, H. and owner H. of said permit No. 420-3
a water right, dating from February 19, 1957 to the use of 1.70
cubic feet per second of the waters of the Missouri River and East Snatch Creek
in the County of Bon Homme and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted ~~xx~~ between a point 260 feet north and
a point 2640 feet east and 2640 feet south of the W $\frac{1}{2}$ Cor., Sec. 11, T93N, R59W
and conducted to and upon that part of the SW $\frac{1}{4}$, Sec. 11, T 93N, R 59 W, lying
north of the County Highway

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 27th day of January A. D. Nineteen
Hundred and Fifty-eight

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

RIGHT OF WAY EASEMENT

RECEIVED
MAY 23 1957
STATE OF SOUTH DAKOTA
NOTARY PUBLIC

I, Levoyd Kreber, owner of NE 1/4 of Sec. 12, T. 93, R. 59, for the sum of One Dollar in hand paid, hereby grant Gordon McGann, a Right-of-way Easement to be used as a pumping site from the southeast corner of the NE 1/4 of said section to the creek north of said corner. Said easement to cover a strip from said corner running north to the creek, with said strip being 50' wide.

Levoyd Kreber
Levoyd Kreber

STATE OF SOUTH DAKOTA)

COUNTY OF BON HOMME)

ss

On this the 20th day of May 1957, before me
O.B. Linn the undersigned officer, personally
appeared Levoyd Kreber known to me or satisfactorily
proven to be the person described in and who executed the within and fore-
going instrument for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

O.B. Linn
Notary Public - South Dakota

My commission expires:

Dec. 23 1960

(First Publication before April 19, 1957)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 1, 1957

Notice is hereby given that Roy McCann-Owner and Gordon McCann tenant whose postoffice address is Tyndall S. Dak., have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from the Missouri River & East Snatch Creek through the Roy McCann Irrigation Project the point of diversion of which is to be located between a point 250 feet North of the W $\frac{1}{2}$ Cor., and a point 11 in the SW $\frac{1}{4}$ Sec 11 of Section

Twp. 93 N Range 59 W Said water to be used for the purpose of providing irrigation on the following described land:

part of the SW $\frac{1}{4}$ Sec 11, T 93 N R 59 W

and for

purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of May, 1957, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J.W.GRIMES, Chief Engineer, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County of Bon Homme } ss.

J. T. Trevillyan being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Tyndall Tribune and Register newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Tyndall County of Bon Homme and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 11, 1957 - April 18, 1957

April 25, 1957 - May 2, 1957

in each and every issue of the full number thereof, the first publication being made on the 11 day of April 1957 and the last publication on the 2nd day of May 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 4 day of May A. D. 1957

Notary Public Bon Homme County, S. D.

STATE OF SOUTH DAKOTA
 PIERRE, SOUTH DAKOTA
 MAY 11, 1957
 No. 420-3
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission, Pierre, S. Dak., April 1,
 1957.
 Notice is hereby given that Roy
 McCann-Owner, and Gordon McCann
 tenant whose postoffice address is
 Tyndall, S. Dak., have made an ap-
 plication in accordance with the
 provisions of the water laws of
 South Dakota for a permit to ap-
 propriate for beneficial use 1.7 cu-
 bic feet of water per second of
 time from the Missouri River &
 East Branch Creek through the Roy
 McCann Irrigation Project, the point
 of diversion of which is to be lo-
 cated between a point 260 feet North
 of the W 1/4 Cor., and a point in the
 SW 1/4 of Section 14, Twp. 93 N
 Range 59 W. Said water to be used
 for the purpose of providing irri-
 gation on the following described
 land: part of the SW 1/4 Sec. 11, T
 93 N R 59 W.
 This application will be taken up
 by the State Water Resources Com-
 mission at their office at Pierre for
 consideration upon the 15th day of
 May, 1957, at 2:00 P. M. All inter-
 ested persons may appear and be
 heard.
 Appropriate action will be taken
 by the Water Resources Commis-
 sion after suitable time has elapsed
 for the consideration of all or all
 information presented.
 State Water Resources Commission
 By:
 J. W. GRIMES, Chief Engineer, Ex-
 ecutive Officer
 (April 11-18-25-May 2)

Permit No. 420-3Water Division No. 3 Missouri
River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your ~~book~~ of authorization ~~mark~~ on October 22, 1957XXXX, I have ~~XXXX~~ made a thorough examination of the diversion works constructed by Roy McCann
(owner) & Gordon McCann (Tenant), of TyndallBon Homme County, South Dakota, holder of Permit No. 420-3, Issued
upon Application No. 420-3, bearing date of priority of February 19, 1957, authorizing the
diversion of 1.70 cu. ft. per second of the waters of the Missouri River & Snatch Creek for irrigation
purposes. I have to report on the condition of the same as follows:The diversion works comprise: Pacific Pump, model #5C-LUE; Waukesha Engine,
model No's. SQ-1889 and 190DLC; 44 model 30 Rainbird 1/2 inch nozzles;
2100 feet of 6 inch mainline; 1830 feet 5 inch lateral; 120 feet of
2 inch lateral; 40 feet of 6 inch intake; and a pressure gaugeand the system is in the following condition: Very goodThe point of diversion is located between a point 260 feet north and a point 2640 feet
east and 2640 feet south of the W 1/2 Cor., of Sec. 11, T 93 N, R 59 WThe works are capable of diverting and conveying to the place of 1.70 cu. ft. per second of water,
which is to be used for irrigationThe legal sub-divisions to be irrigated are: that part of the SW 1/4, Sec. 11, T 93 N,
R 59 W, lying north of the County Highwaycomprising a total of 119 acres of land.
The domestic use intended comprises -----The utilization for power, mining, or other beneficial uses comprises: -----Witness my hand, this 27th day of January, A. D. 1958.

—SEAL—

Les Wyborny,

Examining Engineer.

NOTICE OF TRANSFER OF WATER PERMIT

February 14, 1969

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Bob Mc Cann

who previously owned the land described below has sold his interests to

Gordon Mc Cann

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 420-3

and as provided for in section 61.0141 of the SDC of 1939 and elsewhere (Missouri River & Snatch
Creek between a point 200 ft north and a point 200 ft
East and 20.40 ft South of the W. corner of Sec. 15, T. 24 N
R. 59 W. Bon Homme County, S.D.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1803 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Ben Homme

} ss.

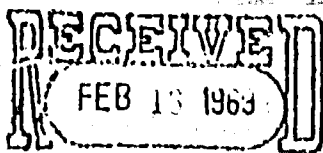
I, Gordon Mc Cann being first duly sworn on my
oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the
above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Signed

Gordon Mc Cann

Subscribed and sworn to before me this 14th day of Feb, 1969.

Notary Public



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

ON DAVIES POINT DAM, LEWIS AND CLARK LAKE PROJECT, SOUTH DAKOTA

NO. DACW45-2-71-6005

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to GORDON MC CANN, Tyndall, South Dakota

hereinafter designated as the grantee, for a period ~~not exceeding~~ ^{not exceeding} coextensive with South Dakota State Water Permit No. 420-3, hold by grantee, from the date hereof, an easement for a right of way for installation, operation and maintenance of a portable irrigation water pipeline and portable pumping system, hereinafter referred to as "said line"

ferred to as "said line" over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" as described as follows:

attached hereto and made a part hereof, and described as follows:

The East 66 feet of the SE¹/₄SW¹/₄ and SE¹/₄SW¹/₄ of Section 11, Township 93 North, Range 59 West of the Fifth Principal Meridian, Bon Homme County, South Dakota, lying northerly of the shoreline of Lewis and Clark Lake, containing 0.80 acre, more or less, with total length of 21 rods.

THIS EASEMENT is granted subject to the following conditions:

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of SEVENTY FIVE AND NO/100 DOLLARS (\$ 75.00) for the term , payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to District Engineer, Omaha District, Corps of Engineers, 7410 U. S. Post Office & Court House, Omaha, Nebraska 68102

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

Condition Nos. 15, 16, 17, 18 and 19 are continued on page 3a, attached hereto, and by this reference made a part hereof.

Prior to the execution of this instrument, Condition Nos. 15, 16, 17, 18 and 19 were added.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 20th day of

1970.

/s/ L. Y. Laster

L. Y. LASTER
Acting Chief, Real Estate Division
Cuba District, Corps of Engineers

15. That the grantee shall comply promptly with any regulations, conditions or instructions affecting the activity hereby authorized if and when issued by the Federal Water Pollution Control Administration and/or a State Water Pollution Control Agency having jurisdiction to abate or prevent water pollution. Such regulations, conditions or instructions in effect or prescribed by the Federal Water Pollution Control Administration or State Agency are hereby made a condition of this grant.

16. That this easement and rights of way for water pipelines and pumping plants is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

17. That the grantee shall not install erosion control devices around the intake of the irrigation systems without the approval by said officer in charge.

18. That any fuel storage tanks and/or liquid fertilizer tanks located above ground shall be so located or protected by dikes, curbs, ramps or other suitable means as to prevent the spread of liquids in case of leakage of tank or piping therefrom causing or contributing to the pollution of any watercourse. The holding area shall have a capacity at least equal in volume to that of the largest tank in use, plus ten per cent of all other tanks included.

19. The right is hereby reserved to the United States to flood the premises whenever necessary in connection with river and flood control work, and the grantee shall have no claim for damages of any character on account thereof against the United States.

This is a detailed plat map of Section 26, Township 7N, Range 8E. The map shows various land parcels, some labeled as "ACCESSION" or "SEVERAL ACRES". It also depicts a river flowing through the section. The map is oriented with North at the top. A small inset map in the bottom right corner shows the location of this section within the state of South Dakota.

T-33-N	R-8-E	T-33-S	R-9-E
24	20	22	23

SOUTH DAKOTA

BON HOMME

SECTION 26

T-33-N R-8-E

T-33-S R-9-E

SEE SECTION 27

SEE SECTION 25

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TRACT				LAUD OWNER	ACQUISITION DATE	REMARKS
D-300	1000	Port of Tampa Bay, 600 ft.	1845			
D-301	1001	Port of Tampa Bay, 600 ft.	1845			
D-302	1002	Port of Tampa Bay, 600 ft.	1845			
D-303	1003	Port of Tampa Bay, 600 ft.	1845			
D-304	1004	Port of Tampa Bay, 600 ft.	1845			
D-305	1005	Port of Tampa Bay, 600 ft.	1845			
D-306	1006	Port of Tampa Bay, 600 ft.	1845			
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D-308	1008	Port of Tampa Bay, 600 ft.	1845			
D-309	1009	Port of Tampa Bay, 600 ft.	1845			
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D-534	1234	Port of Tampa Bay, 600 ft.	1845			
D-535	1235	Port of Tampa Bay, 600 ft.	1845			
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D-543	1243	Port of Tampa Bay, 600 ft.	1845			
D-544	1244	Port of Tampa Bay, 600 ft.	1845			
D-545	1245	Port of Tampa Bay, 600 ft.	1845			
D-546	1246	Port of Tampa Bay, 600 ft.	1845			

AGENCY/DEPT. OF THE ARMY
STATS. SOUTH DAKOTA & NEBRASKA
COUNTIES: BOON HARBOR, SOUTH DAKOTA
CROOK, NEBRASKA
DANFORD MISSOURI RIVER
DISTRICT OMAHA

3 miles W of DANMONTON, S.D.

ALLIANCE IN CROATIA, NEE

TRANSPORTATION FACILITIES

RAHWORTH CANW-CMSTPBP

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ADMINISTRATIVE

ADDITIONAL INFORMATION	ADDITIONAL INFORMATION
ADDITIONAL INFORMATION	ADDITIONAL INFORMATION

ACQUISITION

TOTAL ASSETS ACQUIRED

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ACQUISITION OF MOTIVATION

233

DISPOSED
 FOR ALL OTHERS NOT RECORDED

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LEGEND

NOTE: USE 5 THROBOLS FROM 104-31 AND FROM ALL OF THE
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1000

Education in

1. *Journal of the American Medical Association*, 1997; 278: 1000-1005.

RESEARCH FROM THE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

2015-01-15 10:15:00

CONTOUR LINES

100

10

TRACT NUMBER

1

10-10-68

OF: AL ABAY
DISTRICT ENGINEER
DISTRICT

REAL ESTATE
RIVER DIVISION

POINT RESERVOIR

D. INGENUOUS

1

[illegible]

Observations during the Field Inspection on October 22, 1957
of the Roy McCann Project relative to Application #420-3

Gordon McCann accompanied me on this inspection and was very helpful in assisting me to complete my work.

This project consisted of 119 acres plus located in the SW $\frac{1}{4}$, Sec. 11, T 93 N, R 59 W and divided into 5-86 acre fields of alfalfa, oats and corn. The pump was located about midway between points "A" and "B" on map #319-3 on the North shore of Lewis and Clark Lake.

Equipment consisted of a Pacific Pump, Model 5C-LUE, Serial #12545947 with a pressure gauge and an estimated capacity of 580-860 gpm under existing conditions of lift from 40-50 feet and the following equipment: 44 Model-30 Rainbird $\frac{1}{2}$ inch nozzles; 2100 feet of 6 inch main line pipe; 1830 feet of 5 inch lateral; 120 feet of 2 inch lateral; and 40 feet of 6 inch Intake pipe. Power is furnished by a Waukesha Engine SO No. 1889, Model No. 190 DLC, Serial #893440, rated @ 60 Hp @ 1600 rpms. The operator said he operates at 75# pressure and a maximum of 85# pressure. This should give a sprinkler capacity of 600-700 gpm.

This equipment was in a very good condition. The system was not in operation at the time of the inspection but there was evidence that the lands had been irrigated this year.

The capacity of the works to deliver water to the place of use and the lands compared to the conditions as set forth in the permit.

November 7, 1957

Les Wyborny

Water Rights Engineer

720-3

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

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

January 29, 1988

GORDON MCCANN
BOX 226
SPRINGFIELD, SD 57062

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

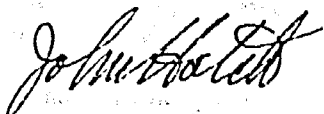
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit Nos. 420-3, 2140-3, and 2452-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit Nos. 420-3, 2140-3, and 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

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

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

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

February 9, 1988

420-3

2140-3

2452-3

Gordon McCann
Box 226
Springfield SD 57062

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 420-3, 2140-3 & 2452-3 and the hearing date before the Water Management Board.

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

Very truly yours,



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

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

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

February 8, 1989

GREG MCCANN, RENTER
BOX 226
SPRINGFIELD, SD 57062

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 2140-3, 2452-3, 420-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

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

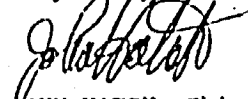
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 2140-3, 2452-3, 420-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

Very truly yours,



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

cc: Gordon McCann
Box 226
Springfield SD 57062



SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 24, 1989

420-3
2140-3
2452-3

Gordon & Gregg McCann
Box 226
Springfield, SD 57062

Dear Sirs:

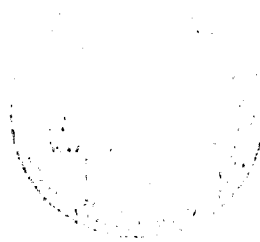
I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 420-3, 2140-3 and 2452-3. You may disregard the February 18, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

420-3



UNITED STATES DEPARTMENT OF AGRICULTURE
NATIONAL AGRICULTURAL MECHANIZATION SERVICE
WASHINGTON, D.C. 20250

UNITED STATES DEPARTMENT OF AGRICULTURE

ENGINE SIZE 75

COST/HR COST/HR COST/HR COST/HR

1.00 1.00 1.00 1.00

1.00 1.00 1.00 1.00

UNITED STATES DEPARTMENT OF AGRICULTURE

POSSIBLE ACTUAL
SAVINGS SAVINGS

1.00 1.00

1.00 1.00

UNITED STATES DEPARTMENT OF AGRICULTURE SUMMARY

TOTAL HP 50/50 SPLIT

		JUL 92	JUN 92	MAY 92	TOTALS
1.00	1.00	.0	.0	.0	111.8
1.00	1.00	.0	.0	.0	
1.00	1.00	.00	.00	.00	455.50
1.00	1.00				3500
1.00	1.00	.00	.00	.00	182.00
1.00	1.00	.00	.00	.00	
1.00	1.00	.00	.00	.00	1068.75



420-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

GREG MCCANN, RENTER
RR 1 BOX 226
SPRINGFIELD SD 57062

NOTICE

RE: Violation of Water Permit No(s) 420-3, 2140-3 & 2452-3, 5447-3 and 1993 Irrigation Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 420-3, 2140-3 & 2452-3, 5447-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 qualification:

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

The hearing will be held at 8:45 am, April 5, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



420-3

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

February 16, 1994

NOTICE

TO: GREG MCCANN, RENTER
RR 1 BOX 226
SPRINGFIELD, SD 57062

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

RE: Failure to Report Chemical Use under Water Permit No(s) 420-3; 2140-3 & 5447-3

The first notice to file chemigation report(s) for Permit No(s) 420-3; 2140-3 & 5447-3 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 420-3; 2140-3 & 5447-3. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 420-3; 2140-3 & 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to April 1, 1994, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



420-3

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

February 25, 1994

420-3
2140-3
2452-3
5447-3

Greg McCann
RR #1 Box 226
Springfield, SD 57062

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires and chemigation forms. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 420-3, 2140-3, 2452-3 & 5447-3 and 1993 Irrigation Questionnaire Requirements and the Notice of Failure to Report Chemical Use.**

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

If you have any questions, please contact me.

Sincerely,

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



January 30, 1996

421-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: GREG MCCANN, RENTER, RR 1 BOX 226, SPRINGFIELD, SD 57062

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

SUBJECT: Violation of Water Permit No(s) 5447-3, 420-3, 2140-3 & 2452-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5447-3, 420-3, 2140-3 & 2452-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

c: Gordon McCann, Box 226, Springfield SD 57062

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.

3. Article Addressed to:

GREG MCCANN, RENTER
RR 1 BOX 226
SPRINGFIELD SD 57062

4a. Article Number:

2161 984 120

4b. Service Type

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

7. Date of Delivery

1-31-96

8. Addressee's Address (Only if requested and fee is paid)**5. Received By: (Print Name)**

[Signature]
Signature (Addressee or Agent)

PS Form 3811, December 1994

Domestic Return Receipt

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service

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:

Dorinda McCann
Box 726
Springfield SD 57062

4a. Article Number

2161 984 121

4b. Service Type

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

7. Date of Delivery

1-31-96

8. Addressee's Address (Only if requested and fee is paid)**5. Received By: (Print Name)**

Dorinda McCann

6. Signature: (Addressee or Agent)

X

PS Form 3311, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?



420-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: GREG MCCANN, RENTER
RR 1 BOX 226
SPRINGFIELD SD 57062

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

RE: Failure to Report Chemical Use under Water Permit No(s) 420-3 & 5447-3

The first notice to file chemigation report(s) for Permit No(s) 420-3 & 5447-3 was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 420-3 & 5447-3. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

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

1. Suspend or cancel Permit No(s). 420-3 & 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1996

Greg McCann
RR 1 Box 226
Springfield, SD 57062

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and chemical reporting forms. You may disregard the January 30, 1996, Notices for Failure to Report Chemical Use, Violation of Water Permit and Violation of the Requirement to Submit the 1995 Irrigation Questionnaires.

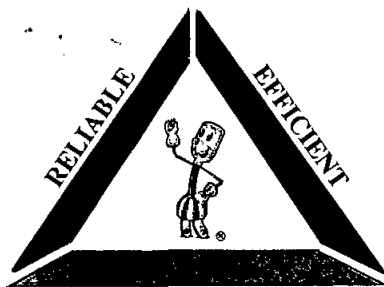
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Member Owned



**BON HOMME YANKTON
ELECTRIC ASSOCIATION, INC.**

420-3

P.O. BOX 158 · TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 · TOLL FREE 1-800-925-2929 · FAX (605) 463-2419

SERVICE
5017950-001

MCCANN/KREBER IRRIGATION
C/O GREG MCCANN
RR 1 BOX 226
SPRINGFIELD, SD 57062

1999 Irrigation Summary

Date	Beg Read	End Read	KWH	KWH Chg	KW	KW Chg	Total Charges	Payments	Balance
8-1999	0	7500	7500	\$312.24	28.9	\$140.17	\$452.41	\$226.21	\$226.20
9-1999	7500	7500	0	\$45.69				\$226.20	\$45.69
Totals			7500	\$357.93		\$140.17	\$452.41	\$452.41	\$0.00

Annual Minimum \$14.25/HP: 75 \$1,068.75

Minimum Adjustment \$616.34

Total Amount Due \$616.34

5017950-001	Motor#	Beg Read	End Read	Hours Run
	1	9359	9635	276

50% 308.17



420-3
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: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5447-3, 420-3, 2140-3 & 2452-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

c: Gordon McCann, Box 266, Springfield, SD 57062

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.

420-3



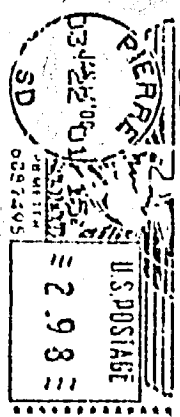
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RETURN SERVICE REQUESTED

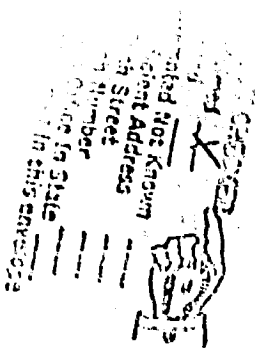


Z 227 670 291
SIOUX FALLS SD 571



Gordon McCann
Box 266
Springfield SD 57062

1-15
2nd 1-30
1-31-00
R+N



420-3

seal tape until ready to open
or otherwise to do so, otherwise to

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:

Gordon McCann
Box 266
Springfield SD 57062

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 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)

2227 670 291

PS Form 3811, July 1999

Domestic Return Receipt

102595-89-11-1789

420-3

GRANT FACIES ENGAL PLACES



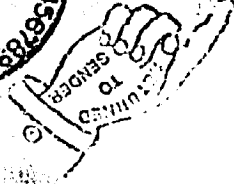
Sam Blake

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RETURN SERVICE REQUESTED

1st 1-15-06
2nd 1-20-06
Rtn - 1-31-06

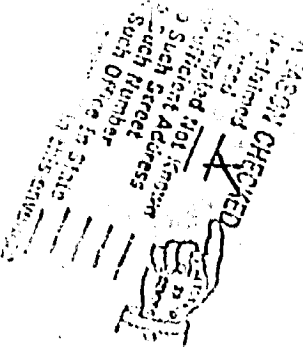
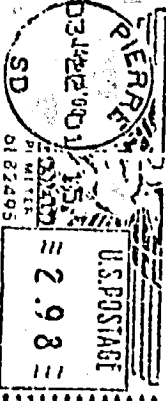


CERTIFIED

SIDUX FALLS SD 571 571

MAIL

GREG MCCANN, RENTER
41876 APPLE TREE RD
SPRINGFIELD SD 57062 6410



420-3

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:

GREG MCCANN, RENTER
41876 APPLE TREE RD
SPRINGFIELD SD 57062 6410

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 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)

2227 670 290

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-44-1788



420-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2000

Greg McCann
41876 Apple Tree Rd
Springfield, SD 57062-6410

RE: Water Permit/Right Nos. 420-3, 2140-3, 2452-3 and 5447-3

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit/Right Nos. 420-3, 2140-3, 2452-3 and 5447-3.

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

c: Gordon McCann

420-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
☒ 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) _____ B. Date of Delivery <u>1-22-00</u> C. Signature <u>Gordon McCann</u> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: Gordon McCann Box 226 Springfield SD 57062		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Number (Copy from service label) <u>7000 0600 0026 9814 3925</u>		4. Restricted Delivery? (Extra Fee) ☐ Yes	
PS Form 3811, July 1999		Domestic Return Receipt 102595-00-M-0952	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
☒ 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) _____ B. Date of Delivery <u>1-22-00</u> C. Signature <u>Greg McCann</u> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: GREG MCCANN, RENTER 41876 APPLE TREE RD SPRINGFIELD SD 57062 6410		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Number (Copy from service label) <u>7000 0600 0026 9814 3932</u>		4. Restricted Delivery? (Extra Fee) ☐ Yes	
PS Form 3811, July 1999		Domestic Return Receipt 102595-00-M-0952	



420-3
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: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 5447-3, 420-3, 2140-3 & 2452-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit Nos. 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No. 5447-3 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 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. 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit Nos. 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 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 (605) 773-3352.

c: GORDON MCCANN, BOX 226, SPRINGFIELD, SD 57062

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

February 1, 2001

420-3
2140-3
2452-3
5447-3

Greg McCann
41876 Apple Tree Rd
Springfield, SD 57062-6410

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3.

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

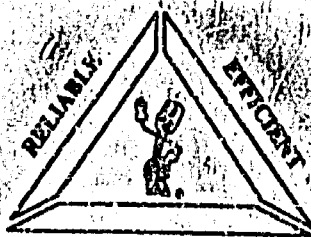
If you have any questions, please contact me.

Sincerely,

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

c: Gordon McCann

Member Owned



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 153 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2410/13/60

MCCANN/KREBER IRRIGATION
C/O OREG MCCANN
RR 1 BOX 226
SPRINGFIELD, SD 57062

Account#: 5017950-001
Annual Minimum: \$1,052.00
Horse Power: 75

2000 Irrigation Season Summary and Minimum Adjustment

5017950-001

Date	Present Reading	Previous Reading	KWH	KWHs	KW Demand	RT/S	Tax	Total
6-2000 1 Charges	4400	0	4,400	\$212.30	29	\$178.71	\$0.00	\$351.01
7-2000 3 Payment								(\$175.51)
7-2000 3 Payment								(\$175.50)
7-2000 1 Charges	14450	4400	10,050	\$362.50	24	\$118.15	\$0.00	\$500.65
8-2000 3 Payment								(\$250.33)
8-2000 3 Payment								(\$250.32)
8-2000 1 Charges	17080	14450	2,630	\$136.76	23	\$112.42	\$0.00	\$249.18
9-2000 3 Payment								(\$124.59)
9-2000 3 Payment								(\$124.59)
9-2000 1 Charges	17080	17080	0	\$0.00	0	\$0.00	\$0.00	\$0.00
Totals			17,080	\$731.56	76	\$369.28	\$0.00	\$0.00

Total Charges \$1,100.84
Total Adjustments \$0.00
Total Sales 2000 \$1,100.84
Minimum Adjustment \$0.00
Total with Adjustment \$1,100.84
Total Payments (\$1,100.84)

Total Amount Due \$0.00



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

420-3

Rust pumps

MCCANN, GREGORY C
41876 APPLE TREE RD

SPRINGFIELD, SD 570629801

11/10/2003

Account#: 5018200-007

Annual Minimum: \$1,710.00

HorsePower: 120

2003 Irrigation Season Summary and Minimum Adjustment

5018200-007

Date		Present Reading	Previous Reading	KWH	KWHS	KW Demand	KWS	Tax	Total
7-2003	1 Charges	145	0	5,800	\$241.60	22	\$108.64	\$0.00	\$350.24
8-2003	3 Payment								(350.24)
8-2003	1 Charges	453	145	12,320	\$501.24	43	\$207.58	\$0.00	\$708.82
9-2003	3 Payment								(708.82)
9-2003	1 Charges	481	453	1,120	\$58.24	22	\$104.76	\$0.00	\$163.00
Totals				19,240	\$801.08	87	\$420.98	\$0.00	\$163.00

Total Charges \$1,222.06

Total Adjustments \$0.00

Total Sales 2003 \$1,222.06

Minimum Adjustment \$487.94

Total with Adjustmen \$1,710.00

Penalties \$4.89

Total Payments (\$1,059.06)

Total Amount Due **\$487.94**

RECEIVED

JAN 12 2004

WATER RIGHTS
PROGRAM

5018200-007

Hour Readings

Motor#	Beg Read	End Read	Hours Run
1	1306	1857	551
2	4279	4646	367



A Touchstone Energy® Cooperative





420-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

NOTICE

TO: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 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 2, 2005 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

c: GORDON MCCANN, BOX 226, SPRINGFIELD, SD 57062

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.



420-3

Track & Confirm

Current Status

You entered 2301 0370 0000 7541 4890

Your item was delivered at 2:24 pm on January 21, 2005 in
SPRINGFIELD, SD 57062. The item was signed for by G MACANM.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

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▶ Request Proof of Delivery

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4890

GREG MCCANN, RENTER
41876 APPLE TREE RD
SPRINGFIELD SD 57062 6410

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

☐ Priority Mail

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(See Reverse)

PS Form 153, February 2001



420-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 2210

Your item was delivered at 2:25 pm on January 21, 2005 in
SPRINGFIELD, SD 57062. The item was signed for by G MACANN.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

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▶ Request Proof of Delivery

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 2210

GORDON MCCANN
BOX 226
SPRINGFIELD SD 57062

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For inquiries:
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www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

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☐ Package Services

(See Reverse)

PS Form 198, July 2001

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Greg McCann

DATE: January 26, 2005

TELEPHONE: 369-2865

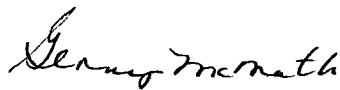
RE: 2004 irrigation questionnaire

COMMENTS:

Water Right No. 420-3 authorizes diversion of water from E Snatch Creek and the Missouri River. Mr. McCann wrote on the questionnaire that they have not pumped from E Snatch Creek for 50 years.

Mark Rath called and spoke with Mr. McCann about the water right. Mr. McCann indicated he didn't think the creek diversion was ever developed. They have always just pumped from the Missouri River.

The remaining portions of the license are fine (diversion rate and acres irrigated).



Genny McMath
Environmental Scientist



420-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2005

420-3
2140-3
2452-3
5447-3

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062-6410

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3.

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

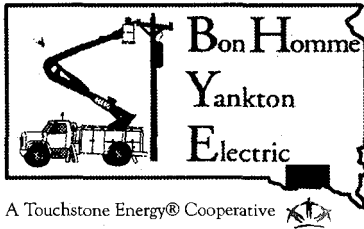
If you have any questions, please contact me.

Sincerely,

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

c: Gordon McCann

(420-3)
2140-3



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

10/6/2006

MCCANN, GREGORY
41876 APPLE TREE RD

Account#: 5018201-001

Annual Minimum: \$2,493.75

SPRINGFIELD, SD 57062

HorsePower: 175

Split/with Dave

2006 Irrigation Season Summary and Minimum Adjustment

5018201-001

Date	Present Reading	Previous Reading	KWH	KWHS	KW Demand	KWS	Tax	Total
1-2006 3 Payment								)
1-2006 3 Payment								
7-2006 1 Charges	917	438	47,900	\$2,155.50	118.00	\$737.50	\$0.00	\$2,893.00
8-2006 3 Payment								(\$1,446.50)
8-2006 3 Payment								(\$1,157.20)
8-2006 3 Payment								(\$289.30)
8-2006 1 Charges	1043	917	12,600	\$567.00	118.00	\$737.50	\$0.00	\$1,304.50
9-2006 3 Payment								(\$782.70)
9-2006 3 Payment								(\$521.80)
Totals			60,500	\$2,722.50	236	\$1,475.00	\$0.00	4197.50

Total Charges \$4,197.50
Total Adjustments \$0.00
Total Sales 2006 \$4,197.50
Minimum Adjustment \$0.00
Total with Adjustment \$4,197.50
Penalties \$0.00
Total Payments (4,197.50)

Total Amount Due 00.00

Payment Due by 10/25/06

Hour Readings

5018201-001	Motor#	Beg Read	End Read	Hours Run
	1	816	816	0
	2	12296	12712	416

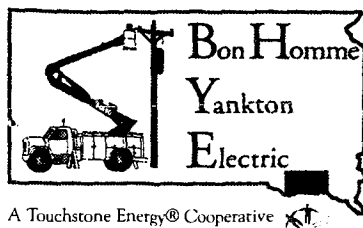
RECEIVED

DEC 22 2006

WATER RIGHTS
PROGRAM



420-3



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

RECEIVED

11/21/2008

MCCANN, GREGORY
41876 APPLE TREE RD

JAN 22 2009

Account#: 5018201-001

WATER RIGHTS
PROGRAM

Annual Minimum: \$2,493.75

SPRINGFIELD SD 570626410

HorsePower: 175

2008 Irrigation Season Summary and Minimum Adjustment

Main Pump

5018201-001

Date		Present Reading	Previous Reading	KWH	KWHS	KW Demand	KW\$	Tax	Total
7-2008	1 Charges	867	396	47,100	\$3,108.60	118.00	\$1,534.00	\$0.00	\$4,642.60
8-2008	3 Payment								(\$1,857.02)
8-2008	3 Payment								(\$2,785.56)
8-2008	1 Charges	1220	867	35,300	\$1,941.50	110.00	\$825.00	\$0.00	\$2,766.50
9-2008	3 Payment								(\$1,106.61)
9-2008	3 Payment								(\$1,659.91)
Totals				82,400	\$5,050.10	228	\$2,359.00	\$0.00	\$0.00

Total Charges \$7,409.10

Total Adjustments \$0.00

Total Sales 2008 \$7,409.10

Minimum Adjustment \$0.00

Total with Adjustment \$7,409.10

Penalties \$0.00

Total Payments (\$7,409.10)

Total Amount Due \$0.00

Payment Due by 12/15/08

Hour Readings

5018201-001	Motor#	Beg Read	End Read	Hours Run
	1	13114	13847	733
	2	817	817	0



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 16, 2009

420-3
2140-3
2452-3

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062

Dear Mr. McCann:

I am writing in follow-up to your phone conversation with Eric Gronlund in our program concerning the ownership changes needed for water rights listed in the name of Gordon McCann.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign and return the forms to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed are copies of the three water rights listed in the name of Gordon McCann and Water Right No. 5447-3 listed in your name. You may keep these for your files. 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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 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 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

c: GORDON MCCANN, BOX 226, SPRINGFIELD, SD 57062

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.state.sd.us/denr

February 10, 2010

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062 6410

RE: 2009 Irrigation Questionnaires for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In July, 2009, I forwarded you copies of the water rights and "Notice of Transfer of Ownership" forms for Nos. 420-3, 2140-3 and 2452-3. To date, those water rights are still listed in the name of Gordon McCann. Enclosed is another partially completed set of forms. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program. If the water rights should remain as they are and you do not wish to file an ownership change, 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

c: Gordon McCann

[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9884

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 1:49 PM on January 23, 2010 in
SPRINGFIELD, SD 57062. The item was signed for by G MCCANN.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 1:49 pm, SPRINGFIELD, SD 57062
- Sorting Complete, January 23, 2010, 9:11 am, SPRINGFIELD, SD 57062
- Arrival at Post Office, January 23, 2010, 8:28 am, SPRINGFIELD, SD 57062

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 9884

GREG MCCANN, RENTER
41876 APPLE TREE RD
SPRINGFIELD SD 57062 6410

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

ire mailing.

420-3

[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9891

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 1:48 PM on January 23, 2010 in
SPRINGFIELD, SD 57062. The item was signed for by G MCCANN.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 1:48 pm, SPRINGFIELD, SD 57062
- Sorting Complete, January 23, 2010, 9:11 am, SPRINGFIELD, SD 57062
- Arrival at Post Office, January 23, 2010, 8:28 am, SPRINGFIELD, SD 57062

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 9891

GORDON MCCANN
BOX 226
SPRINGFIELD SD 57062

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

FEB 16 2010

WATER RIGHTS
PROGRAM

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

No. 420-3

Date: _____

I/We request that Water Right No. 420-3

formerly owned by: Gordon McCann

be transferred to: (name & address) Greg McCann, 31133 Bon Homme Rd, Tabor SD 57063

Telephone No. _____

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

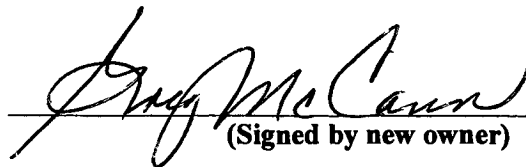
119 acres – SW ¼ Section 11, T93N, R59W

I/We understand that the validity of Water Right No. 420-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/16, 20 10

RECEIVED OF Gregory McCann 31133 Bon Homme Rd Tabor SD 57063

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>420-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04474

By David Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 2010

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062 6410

RE: Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3

Dear Mr. McCann:

I have received the ownership changes you filed for Water Right Nos. 420-3, 2140-3 and 2452-3. I have a quick question for you and tried reaching you by phone but with no luck so needed to send you another letter.

The transfer of ownership forms were signed but were not completed. I can type in the information for you but noticed your check came from a different address than what we have been using for past mailings. Do you want us to use: 41876 Apple Tree Rd, Springfield, SD or 31133 Bon Homme Rd, Tabor SD?

If you would, please give me a call or an email to let me know which address to include in your files. Thank you in advance for your help.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2010

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

The ownership changes have been completed for Water Right Nos. 420-3, 2140-3 and 2452-3. The water rights formerly listed in the name of Gordon McCann are now listed in your name.

Enclosed for your records are your Receipt Nos. 04474, 04475 and 04476 in the amounts of \$50.00 each.

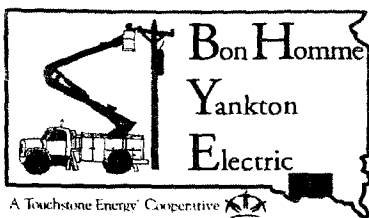
If you have any questions, please contact me.

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

enclosures



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063

www.byelectric.com

PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

420-3

RECEIVED

JAN 19 2012

WATER RIGHTS
PROGRAM

11/9/2011

MCCANN, GREGORY
31133 BON HOMME RD

Account#: 5018201-001

Annual Minimum: \$2,625.00

TABOR SD

57063

HorsePower: 175

2011 Irrigation Season Summary and Minimum Adjustment

5018201-001

Date		Present Reading	Previous Reading	KWH	KWH\$	KW Demand	KWS	Tax	Total
6-2011	1 Charges	0	0	0	\$0.00	0.00	\$0.00	\$0.00	\$0.00
7-2011	1 Charges	360	0	36,000	\$2,520.00	81.00	\$1,239.30	\$0.00	\$3,759.30
8-2011	3 Payment								(\$1,879.65)
8-2011	1 Charges	689	360	32,900	\$1,974.00	79.00	\$612.25	\$0.00	\$2,586.25
9-2011	3 Payment								(\$1,293.12)
9-2011	3 Payment								(\$3,172.77)
9-2011	1 Charges	689	689	0	\$0.00	0.00	\$0.00	\$0.00	\$0.00
10-2011	1 Charges	689	689	0	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Totals				68,900	\$4,494.00	160	\$1,851.55	\$0.00	\$0.01

Total Charges \$6,345.55

Total Adjustments \$0.00

Total Sales 2011 \$6,345.55

Minimum Adjustment \$0.00

Total with Adjustment \$6,345.55

Penalties \$0.00

Total Payments (\$6,345.54)

Total Amount Due \$0.01

Payment Due by 11/30/2011

471 hrs



420-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: GREG MCCANN, 3133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

420-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2013

420-3
2140-3
2452-3
5447-3

Greg McCann
3133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3. 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



420-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: GREG MCCANN, 3133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 2015

Greg McCann
3133 Bon Homme Rd
Tabor SD 57063

Dear McCann:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 & 5447-3. 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



DENR
SOUTH DAKOTA

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

February 8, 2021

420-3
2140-3
2452-3
5447-3

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

Enclosed as you requested are four partially completed transfer forms for use in adding your daughter's name to the water rights.

Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (\$200 total). The check or money order for the fee can be made payable to the Water Rights Program.

If you or your daughter have any questions, please let me know.

Sincerely,

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

enclosures

McMath, Genny

From: Greg McCann <greg03301947@gmail.com>
Sent: Saturday, January 23, 2021 1:35 PM
To: McMath, Genny
Subject: [EXT] Water Rights permits

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. McMath

Hello again, this Greg McCann Bon Homme County. I don't know if you remember me however, we have been corresponding every year for a long time. I'm referring to the annual reports and a few other things over the years. My grandad and dad began irrigating in the 1950's and the ownership of the permits has been transferred to me over time. I would like to once again like to modify them. My daughter, Holly McCann, is my only family member I have left and I would like to include her name on the permits, along with mine, if that is possible. If not, I would probably change the permits to her.

This is part of my estate planning. My aim is to have as much of a problem free transfer of the farm to Holly when I pass. There is no one else as my wife died suddenly September of 2014 and my son was killed by a farming accident June of 2016. I hope to be around for awhile but I also know the future is very uncertain and I'm trying to do what I can to make it easier for Holly.

I appreciate any help you can give me on this.

Thank You,

Greg McCann

Permits 420-3, 2140-3, 2452-3, 5447-3

I think that is all of them.....

Feb 2021

#20-3

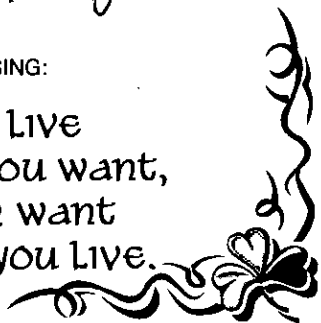
Ms McMath,

Please find enclosed
the completed forms and
check for \$200 to add
my daughter to the
irrigation permits. As
I stated, I wish to
remain on the permits
and add Holly's name to
them so that we co-own
them.

Thank you Amy McLane

IRISH BLESSING:

may you live
as long as you want,
and never want
as long as you live.



420-3

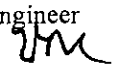
RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date February 22, 2021RECEIVED OF Gregory C McCann 31133 Bon Homme Rd. Tabor Sd 57063

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>420-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Gronlund
 Chief Engineer


PAID

FEB 22 2021

Ck# 5944

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

No. 420-3

FEB 22 2021

Date: 2-16-2021

WATER RIGHTS
PROGRAM

I/We request that Water Right No. 420-3

formerly owned by: Greg McCann

As per letter received w/transfer
Include Mr. McCann as part owner
Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

be transferred to: (name & address) Holly McCann

31079 Apple Tree Rd

Tabor, SD 57063

Telephone No. 605-464-1278

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

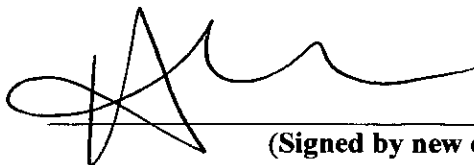
119 acres - SW 1/4 Section 11, T93N, R59W

I/We understand that the validity of Water Right No. 420-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

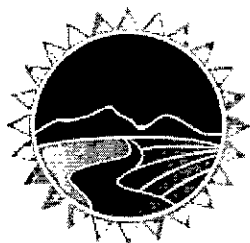


(Signed by new owner)

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

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

420-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2021

420-3
2140-3
2452-3
5447-3

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for transferring Water Right Nos. 420-3, 2140-3, 2452-3 & 5447-3.

The ownership changes have been completed. Based on the letter you included, I added your name to the transfer forms and have made copies of the forms to send you to ensure everything is correct. The water rights formerly listed under your name are now listed under both you and Holly McCann.

Enclosed are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

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

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

c: Holly McCann, 31079 Apple Tree Rd, Tabor SD 57063 w/copies of the transfer forms



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 6, 2024

420-3

Greg & Holly McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. & Ms. McCann:

I am writing in regard to Water Right No. 420-3. The water right authorizes diversion 1.7 cfs (approx. 760 gpm) of water from the Missouri River, for the irrigation of 119 acres in the SW ¼ Section 11, T93N-R59W, Bon Homme County.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

The following information is what was reported and what is authorized:

- 119 acres irrigated
- Reported water use – 603.2 ac-ft of water (approximately 61 inches) at a rate of 1800 GPM
- Authorized water use – 1.7 cfs (approx. 760 GPM)

Typical water use is between 8 and 12 inches per acre. We realize that water use depends greatly on climactic conditions and may vary year to year. However, for the 2023 irrigation season you reported the application of over 5 feet of water per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are greatly exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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

NOTE: Water Right No. 420-3 authorizes a diversion rate of 1.7 cubic feet or water per second (approx. 760 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 1800 gpm. A new permit would be required to increase the rate of diversion from 1.7 cfs to 4.01 cfs.

enclosure



Gregory C. McCann
31133 Bon Homme Rd.
Tabor, SD 57063

RECEIVED

MAY 13 2024

OFFICE OF
 WATER

May 9, 2024
 Ms Dewell.

The pumps that supply water for permits 2140-3 and 420-3 I own in partnership with neighbor Jeff Heber. He has 60% & I have 40%. The water being pumped would have been supplying water to his land also, (60%). Therefore, I applied 18.30 in/acre for permit # 2140-3 and 24.32 in/ac for permit # 420-3.

I'm sorry I overlooked this.

Thank you

Greg McCann



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: GREG MCCANN, 31133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

cc: HOLLY MCCANN, 31079 APPLE TREE RD, TABOR SD 57063

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 21, 2025

420-3, 2140-3
2452-3, 5447-3

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 420-3, 2140-3, 2452-3 & 5447-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

cc: HOLLY MCCANN, 31079 APPLE TREE RD, TABOR SD 57063



5447-3 2452-3
2140-3 420-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: GREG MCCANN, 31133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaires

Our records indicate your 2025 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 420-3, 2140-3 & 2452-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5447-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

HOLLY MCCANN, 31079 APPLE TREE RD, TABOR SD 57063

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 19, 2026

420-3, 2140-3

5447-3, 2452-3

Greg & Holly McCann
3113 Bon Homme Rd
Tabor, SD 57063

Dear McCann's,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us