

4332-3

1. Considered NOVEMBER 15, 1978
2. Name of Applicant LARRY W. MOULTON
3. Post Office Address ELKTON, SD 32-109-47
4. Amount of Water claimed 2.1
5. Source of Water supply 52' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 150
7. Water to be diverted and used in BROOKINGS County
about 2 S & 1/2 mile WEST of ELKTON
8. Proof of Publication Received 11-15-78
Not Received _____
9. Application Approved 11-15-78 660' spacing
Subject to min. 10' spacing
Not Approved _____
Action Deferred _____

10. Remarks:

No. 4332-3Map No. 3538-3Water Division No. 3BIG SIOUX RIVER

District

(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Larry W. Moulton
 Postoffice address Elkton State South Dakota
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by labor) Contract & Direct Labor
 3. Name of diversion work Larry W. Moulton Irrigation Project #2
 4. Amount of water claimed (cubic feet per second) 2.1
 5. Source of water supply well
 6. Location of point of diversion 2900' N 65° W of SE corner Sec 32-109-47
SE 4 SE 9

- County Brookings
 7. Annual period or periods during which water is to be used April through October
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 150

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 NE 1/4 Sec 32-109-47	39		
NE 1/4 " " " "	38		
SW 1/4 " " " "	35		
SE 1/4 " " " "	38		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years Additional time required to complete application of water to the proposed beneficial use three years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. well with deep well turbine with buried pipe to transport water to NE 1/4. This will be integrated with wells used under Irrigation project #1

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

C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost \$ 50,000

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

STATE OF SOUTH DAKOTA

County of Brookings

I, Larry Moulton the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signed Larry MoultonSubscribed and sworn to before me this 9 day of Sept 1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4332-3

LARRY W. MOULTON
(Applicant)

ELKTON
(Post Office Address)

SOUTH DAKOTA 57026 With the following modifications:
(State)

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

Wells approved under this permit shall be spaced so that there is at least 660 feet between wells.

Date of first receipt of application OCTOBER 10, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved NOVEMBER 15, 19 78, Recorded in Book 20 Page 97

WATER RIGHT PERMIT NO. 4332-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4332-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 10, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 15, 19 81
3. The whole of said work is to be completed on or before NOVEMBER 15, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 15, 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.1 cubic feet per second, neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 15, 19 86; said water to be used during the following described annual period: APRIL 1 TO 1 OCTOBER

Witness my hand this 17th day of NOVEMBER, 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

GRIMSHAW DRILLING CO.

DRILLING LOG

924 South Melrose
Sioux Falls, S.D. 57106
Phone 605-332-6974

Name LARRY Moulton Date 9-28-78
Address Elkton S.D.
County Brockings Sec. Twp. Range

NO. FT.	DIA.	RATE	CASING	TOTAL
<u>60'</u>	<u>4 1/4</u>	<u>—</u>		

BALANCE DUE:

0 ft. to 3 1/2 ft. Topsoil ft. to ft.
3 1/2 ft. to 10 ft. Red Gravel ft. to ft.
10 ft. to 38 ft. Red Sand + Gravel ft. to ft.
38 ft. to 52 ft. Grey Sand + Gravel ft. to ft. } water bearing
52 ft. to 53 ft. Boulders ft. to ft.
53 ft. to 60 ft. Blue & Green clay ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.

STATIC WATER LEVEL 10 ft.

Larry M. Wolf
DRILLER

REMARKS. Good coarse material 4 1/2' thick
Suggest #20" slot Johnson S.S. screen 15' long

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 24", Depth 53'
(2) Casing, Type PVC Diameter 16" Thickness 3/8"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Johnson, Diameter 16", Length 15'
(4) Gravel Pack, Thickness 4", Length of gravel pack full length

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials 0' to 2 1/2' top soil; 2 1/2' to 10' red gravel; 10' to 38' red sand and gravel; 38' to 52' grey sand and gravel; 52' to 53' boulders; 53' plus is blue green clay

Depth to top of water bearing material 10'

Depth to bottom of water bearing material 53'

Thickness of water bearing material 43'

Depth to water (ground surface to water level) 10'

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

On same owner's property 60 rds. On property owned by others 300 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

James Moulton
Signature of Applicant

CONSERVATION COMMISSION
FORM WI #1
6/77

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Water Right

RECEIVED

OCT 06 1978

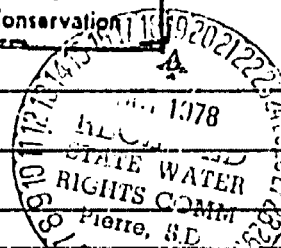
South Dakota
Division of Conservation

IMPORTANT: Read Instructions Before Proceeding!!!

NAME Larry W Moulton

ADDRESS Elkton S. Dak.

COUNTY Brookings



In accordance with State Law (Section 1, SB-58), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT SE¹ of SE¹ Sec 33 - 109. 47
2. LOCATION OF AREA TO BE IRRIGATED Part of NE¹ Sec 33 - 109 - 47

TYPE OF IRRIGATION:

3. GRAVITY ☐ TOWLINE ☐ CENTER PIVOT ☒ GUN ☐
OTHER (SPECIFY) _____
4. CROPS TO BE IRRIGATED Corn primarily + alfalfa

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

- | | |
|---------------------------------------|--------------------------------|
| 5. SAMPLE NUMBER | <u>78-880</u> |
| 6. SALINITY (EC x 10 ⁶) | <u>1199</u> |
| 7. SODIUM (SAR) | <u>0.64</u> <u>ASAR = 1.83</u> |
| 8. RESIDUAL SODIUM CARBONATE (meg/1.) | <u>0.0</u> |

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

SUBSCRIBED AND SWORN BEFORE ME THIS
9 DAY OF Sept, 1978

John W. Leamer
(TITLE OR SEAL)

Larry W Moulton
APPLICANT'S SIGNATURE

Albert D. X. [Signature]

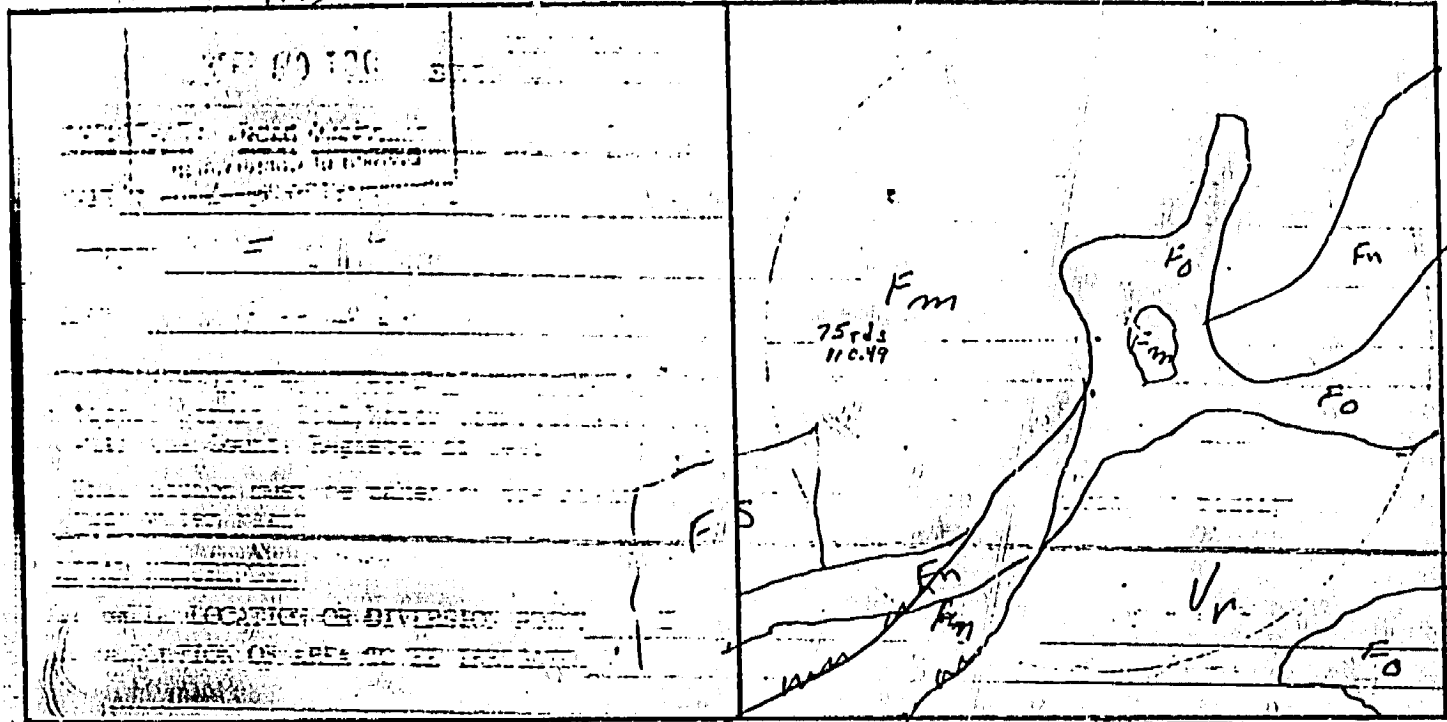
☒ Approved
☐ Disapproved
☐ Conditionally Approved

(SOILS INFORMATION ON REVERSE SIDE)

10/20/59

MAP

NE 4



NARRATIVE

Fm - For till-loam nearly level

Fm - For till-loam gently undulating

F0 - For till-loam - thick sol um nearly level

Ur - Volga silt clay loam

PREPARED AND CHECKED BY THE

4-20-59

10/20/59

10/20/59

10/20/59 (SOIL INFORMATION CENTER)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Submitted by: Larry Moulton
Address: Elton, SD 57025

Date Rec'd: September 29, 1978
Sample No.: 78-880
Identification: ell-
Sec. 32, T 109N, R 42W

WATER ANALYSIS

Calcium (Ca)	160	ppm*	8.00	me/l**
Magnesium (Mg)	55	ppm	4.53	me/l
Sodium (Na)	37	ppm	1.61	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	71	ppm	1.47	me/l
Nitrate (as N)	8	ppm	0.21	me/l
Chloride (Cl)	561	ppm	9.20	me/l
Bicarbonate (HCO ₃)		ppm		me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	460	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1199	micromhos per cm at 25° C.		
Electrical Conductivity	0.64	Adjusted	1.83	
Sodium Adsorption Ratio	11.35	% of cations		
Sodium	0.90	me/l		
Residual sodium carbonate	7.58			
pH				
Others:				

*ppm=parts per million
**me/l=millequivalents per liter

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

RECEIVED

OCT 06 1978

South Dakota
Division of Conservation

COMMENTS: Total cations 14.19 me/l
Total anions 10.88 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 78-880

Amount Enclosed \$

Signed

APPLICANT
APPROVAL/FORM
6/77



Department of Agriculture

DIVISION OF CONSERVATION

SIGURD ANDERSON BUILDING, ROOM 322

PIERRE, SOUTH DAKOTA 57501

AC/605 - 224 - 3258

(LETTER OF APPROVAL)

DATED: October 17, 1978

Larry Moulton

(Name)

(Street or Box No.)

Elkton, South Dakota 57026

(City & State)

LEGAL DESCRIPTION: Part of NE $\frac{1}{4}$ -Section 32-109-47

COUNTY: Brookings

This is to notify you that your application for soil/water compatibility
(WI #1) Form) has been approved and forwarded to the Water Rights Commission.

Sincerely,

Albert L. Griffiths, Director
DIVISION OF CONSERVATION

A/

Approved

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT Larry Moulton, Elkton

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water.
3. ☒ Yes ☐ No Surface drainage suggested -if you have any flat areas that tend to pond water
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☒ Yes ☐ No Specific land areas that ~~XXXXXX XXXXXX~~ may need special management.

Depending upon the size pivot you choose, you will have some areas of Volga Silty Clay loam in the southeast corner and/or an intermittent draw that are not classified as irrigable. 115 acre pivot could avoid most of these soils.

6. ☐ Deep tillage (For the purpose of aiding movement of water through dense subsoils)

7. ☐ Heavy fall application of irrigation water

Water intake on your Fordville soils will be great enough, that if you choose the application rate to satisfy the predominate portion of your soils (Fordville) you will have some runoff on your Volga soils.

Fordville soils will require more frequent irrigation than the Volga.

Management will be about the same as on the SE $\frac{1}{4}$ -32, for which you made application in May of 1978.

Nozzling down on your Volga soils or swinging back and forth to your Volga soils would be one way of handling the different intake rates of Fordville and Volga soils.

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6546

October 10

78

PIERRE

19

RECEIVED OF Larry W. Houlton, Elkton SD 57026

FUND 290

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

Fee for Application for Permit to Appropriate Water No. 4332-3 (examination, processing, recording and filing)	250	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-ry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH

kiw

Publish first publication, on or before November 3, 1978 No. 4332-3

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 20, 1978

Notice is hereby given that Larry W. Moulton whose post office address is Elkton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.1 cubic feet of water per second of time from groundwater (one well) through the Larry Moulton Irrigation Project #2, the point of diversion of which is to be located in the SE1 SE1

of Section 32, Twp. 109N Range 47W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE1, Section 32-T109N-R47W

This Application No. 4332-3 will be considered by the Water Rights Commission at SDEA Auditorium 411 E. Capitol, Pierre, SD upon the 15th day of November-1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: Larry W. Moulton
Elkton, SD 57025

Affidavit of Publication

State of South Dakota

County of Brookings

ss

Dennis D. Koenders of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal No. 549

49 lines x .367

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for Two

successive weeks, to-wit:

October 26, 1978

November 2, 1978

....., 19.....

....., 19.....

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Seventeen dollars and ninety-eight cents Dollars

Subscribed and sworn to before me this 2nd day of

November, 1978

E. R. Jones

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires

September 6, 1985

Exhibit "A"

Legal No. 549 Oct. 26 & Nov. 2
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

Pierre, South Dakota 57501

October 20, 1978
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This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

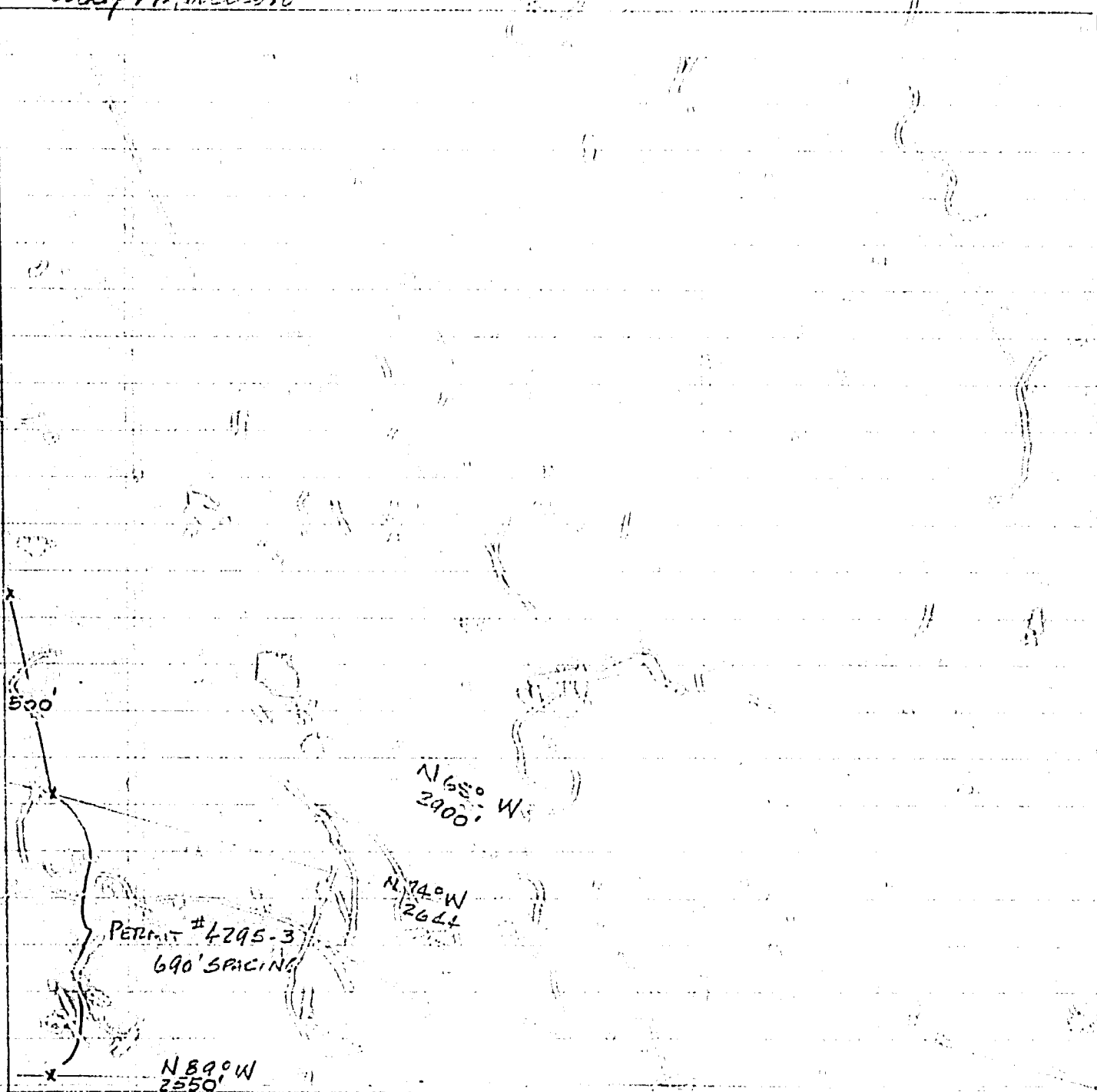
WATER RIGHTS COMMISSION
BETTY WESTLUND
Water Rights Specialist

*Received
Nov 15, 1978*

Q 222 1910
John Kimm

JOHN SAYS THERE IS
@ LEAST 660' SPACING
BETWEEN THE THREE
WELLS

Early Mountain



450' TO BOUS WELL

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

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

Water Rights Division
605 773-3352

April 9, 1985

Larry W Moulton
Rt 1 Box 6
Elkton SD 57026

Mr. Moulton:

This letter is in regard to the irrigation questionnaire you returned for Water Permit No. 4452-3. You state on the bottom of the questionnaire that you plan on putting up a system in the near future. Our records indicate a system was in place in June, 1981. Our files show three water permits in your name, they are:

<u>Permit No.</u>	<u>Source</u>	<u>Land</u>	<u>Status</u>
4295-3	1 well	SE 1/4 Sec. 32, T109N, R47W	inspected 6-9-81 license never issued
4332-3	1 well	NE 1/4 Sec. 32, T109N, R47W	has not been inspected
4452-3	2 wells	NE 1/4 Sec. 29, T109N, R47W	inspected 6-9-81 (incomplete) license never issued

Any clarification you can provide will be appreciated as it appears our records are in error. If you have any questions, please contact me.

Thank you,

Kevin C. Larson
KEVIN C LARSON
Natural Resources Engineer

KCL:ks

Equal Opportunity Employer

4295-3
433. 3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Larry W. Moulton
Rt.1, Box 6
Elkton, SD 57026

Dear Mr. Moulton:

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

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

The new standards include:

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

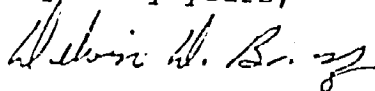


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

Permit No. 4332-3BIG SIOUX RIVER Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by LARRY W.
MOULTON of Box 6 ELKTON, SD holder of
 Permit No. 4332-3, bearing the priority of OCTOBER 10, 1978 authorizing
 the diversion of 2.1 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in BROOKINGS County.

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

A. Works used to divert the water:

A 50' DEEP WELL WITH 16" DIA. CASING + 15' LONG JOHNSON SS SCREEN
 WESTERN LAND ROLLER PUMP; HEAD-6M; 6 1/2" I.D. H; 600 GPM CAPACITY; SERIAL # C 78764
 POWERED BY A 60 HP U.S. ELECTRIC HIGH THRUST MOTOR; TYPE-RU; 1770 RPM;

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

HAS 10" UNDERGROUND PVC PART WAY + THEN 8" UNDERGROUND PVC PIPE FROM
 THE WELL TO THE PIVOT.
 ESTIMATE 2600' OF 10" PVC, THEN 1450' OF 8" PVC.

C. Works used to apply water to beneficial use:

AN 8 TOWER REINKE ELECTROBATOR CP WITH A NELSON 100 END GUN
 1284' LONG; HIGH PRESSURE (70 PSI AT PIVOT); 600 GPM CAPACITY
 MODEL - 680; SERIAL # 1178C 5465

The system is in the following condition GOOD

The point of diversion is located 2610' W AND 170' N OF THE SE CORNER
OF SECTION 32, T109N, R47W.

The works are capable of diverting and conveying to the place of use 1.34 (600 GPM)
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL 1/2 SECTION 32, T109N, R47WNW 1/4 NE 1/4 - 33 ACRESNE 1/4 NE 1/4 - 33 ACRESSE 1/4 NE 1/4 - 33 ACRESSW 1/4 NE 1/4 - 26 ACREScomprising a total of 125 acres of land and the license should be issued for 1.34 cfsApplicable permit qualifications have been complied with Yes / No

Exceptions to compliance are: 1. NEEDS A CHANGE IN DIVERSION PT Date 8-15-88
2. NEED WELL LOG FOR PRODUCTION WELL (GRIMSHAW)
3. NEW SOIL/WATER APP. POSSIBLE

(signature)

Theresa M. Branda

LICENSE FOR PERMIT NUMBER 4332-3

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm Grimshaw

Completion Report Yes ___ No ___ No. of Wells 1 Depth 50'

Casing a) diameter 16" Screen a) type Johnson SS

b) length _____ b) length 15'

c) type _____ Static Water Level _____

Pump a) make Western Land Roller Motor a) make US Electric (High Thrust)

b) model C 787 64 b) model ¹⁰ No. B-6234-03-467

c) size 16 10C H c) horsepower rating ^{R21226613} 60

d) capacity 600 gpm 1770 Rpm type RU

e) turbine pump - nc. of stages Head 6M

f) operating PSI _____

3. Distribution lines or canals

a) size 10"

b) type PVC

c) length check map

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

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

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

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

b) towline:

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

d) center pivot

- 1) make Reinke Electragator
- 2) number of towers 8
- 3) distance between towers _____
- 4) overall length 1284
- 5) end gun (Y/N) Y Nelson 100
- 6) high or low pressure high
- 7) make & size of nozzles 70 psi at pivot
- 8) capacity (GPM) 600

g) siphons

- 1) size _____
- 2) number _____

NOTE:

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

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

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

REMARKS:

Report on
Water Permit Application No. 4332-3
Larry Moulton
April 15, 1991

Water Permit No. 4332-3 appropriates 2.1 cubic feet of water per second from one well 50 feet deep to irrigate 150 acres located in the NE1/4 Section 32, T109N, R47W. The legal location of the well was in error in the notice of hearing published on October 26, 1978 and November 2, 1978. Readvertisement with the correct legal description of the well is necessary. The original advertised legal location of the well was the SE1/4 SE1/4 Section 32, T109N, R47W, the correct legal description of the well is the SW1/4 SE1/4 Section 32, T109N, R47W. This system has been used for several years with no reported controversy.

Conclusions

1. This is a readvertisement of the NOTICE OF HEARING for Water Permit Application No. 4332-3.
2. This readvertisement is necessary to correct the legal description of the well.
3. The corrected legal description of the well is the SW1/4 SE1/4 Section 32, T109N, R47W.

Eric Gronlund

Eric Gronlund

Water Resources Engineer III

Ron Duvall

Ron Duvall

Water Resources Engineer IV

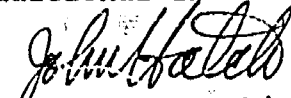
RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED WATER PERMIT
APPLICATION NO. 4332-3, Larry Moulton

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4332-3, Larry Moulton, RR 1, Box 6, Elkton, SD 57026.

The Chief Engineer is recommending APPROVAL of Application No. 4332-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use, and 4) in the public interest with the following qualifications:

1. The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.
2. Wells approved under this permit shall be spaced so that there is at least 660 feet between wells.

See report on application for additional information.


JOHN HATCH, Chief Engineer
April 22, 1991



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 25, 1991

Larry W. Moulton
RR 1 Box 6
Elkton, SD 57036

Dear Mr. Moulton:

The original notice of hearing for Water Permit No. 4332-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Elkton Record printed at Elkton, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

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

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 25, 1991

Elkton Record
Box K
Elkton, SD 57026

Dear Sir:

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 4332-3 to be published twice. Please publish the first notice on May 1, 1991, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

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

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on May 1, 1991, with the second publication 7 days later.

Readvertisement of NOTICE OF HEARING on Water Permit No. 4332-3 to Appropriate Water

Notice is given that Larry W. Moulton, RR 1, Box 6, Elkton, SD 57036 has filed an application for a water permit on October 10, 1978.

Water Permit No. 4332-3 appropriates 2.1 cubic feet of water per second (cfs) from one well to irrigate 125 acres located in the NE 1/4 Section 32-T109N-R47W. The well is located in the SW 1/4 SE 1/4 Section 32 and was incorrectly advertised on October 25 and November 2, 1978 in the Brookings Register as being in the SE 1/4 SE 1/4 Section 32; all in T109N-R47W. This readvertisement identifies the correct location of the well and does not authorize any increase in the developed diversion rate or acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4332-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 20, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 4332-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for May 28, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the May 28, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 28, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by May 20, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.



I, _____
certify that the attached printed Notice was taken
from the _____

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

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

May 1, 1991

May 8, 1991

Wm. A. B...
(Signature)

Bookkeeper
(Title)

5/16/1991
(Date Signed)

Cost of Printing: _____

135 lines @ 43.94
59.26

No. 1087, 2x, May 1 & 8
Readvertisement of
NOTICE OF HEARING on
Water Permit No. 4332-3 to
Appropriate Water

Notice is given that Larry W.
Moulton, RR 1, Box 6, Elkton, SD
57026 has filed an application for a
water permit on October 10, 1978.

Water Permit No. 4332-3
appropriates 2.1 cubic feet of water
per second (cfs) from one well to
irrigate 125 acres located in the NE
1/4 Section 32-T109N-R47W. The
well is located in the SW 1/4 SE 1/4
Section 32 and was incorrectly
advertised on October 25 and
November 2, 1978 in the Brookings
Register as being in the SE 1/4 SE
1/4 Section 32; all in T109N-R47W.
This readvertisement identifies the
correct location of the well and
does not authorize any increase in
the developed diversion rate or
acres irrigated.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends
APPROVAL of Application No.
4332-3 because 1) unappropriated
water is available, 2) existing rights
will not be unlawfully impaired, 3) it
is a beneficial use of water, and 4) it
is in the public interest. Unless a
petition is filed opposing the
application or the applicant files a
petition contesting the chief
engineer's recommendation, the
Water Management Board will NOT
CONDUCT a HEARING to consider
this application and the chief
engineer will issue the permit as
recommended. Petitions filed in
support of the application will NOT
require the Board to hear the
application.

Any person interested in
opposing or supporting this
application must file a written
petition with BOTH the applicant
and Chief Engineer. The applicant
must also file a petition if opposed
to the Chief Engineer's
recommendation. The Chief
Engineer's address is "Water
Rights Division, Foss Building, 523
E Capitol, Pierre, SD 57501 (605
777-1352)" and the applicant's
mailing address is given above. A
petition filed by either an interested
person or the applicant must be
filed by May 20, 1991. The petition
may be informal, but must include a
statement describing the
petitioner's interest in the
application, the petitioner's
reasons for opposing or supporting
the application, and the signature
and mailing address of the
petitioner or the petitioner's legal
counsel, if legal counsel is
obtained.

For purposes of publishing 1) the
notice of hearing on Application No.
4332-3 and 2) the chief engineer's
recommendation, a special Board

an adversary proceeding. Any
person filing a petition and/or the
applicant have the right to be
represented by a lawyer and may
present evidence or cross-examine
witnesses according to SDCL 1-26.
These and other due process rights
will be forfeited if not exercised.
Decisions of the Board may be
appealed to the Circuit Court and
State Supreme Court as provided
by law. Contact the Water Rights
Division to request copies of
information pertaining to this
application or to assure access to
the hearing by the handicapped.

This application is made pursuant
to SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-16; 46-2-3.1, 46-2-9, 46-
2-11, 46-2-13, 46-2-17; 46-2A-1
thru 46-2A-10, 46-2A-12, 46-2A-14,
46-2A-15; 46-5-1 thru 46-5-11, 46-
5-13 thru 46-5-15, 46-5-24, 46-5-
25, 46-5-30.2, 46-5-30.4, 46-5-31;
46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10,
46-6-13, 46-6-14, 46-6-26; and
Board Rules ARSD 74:02:01:01
thru 74:02:01:15.

meeting is scheduled for May 28,
1991, at 9:00 a.m. in Room 413,
Joe Foss Building, 523 E Capitol,
Pierre, SD. If this application is
opposed or the recommendation is
contested, the May 28, 1991,
hearing date may be rescheduled
for another Board meeting. If the
hearing is rescheduled, notice of
the time and place will be given by
First Class Mail to the applicant and
persons filing petitions. Anyone
not filing a petition, but interested
in attending the hearing, may
contact the Division of Water
Rights to confirm a hearing date
and location. The May 28, 1991,
hearing date will be automatically
delayed for at least 20 days upon
written request to the Chief
Engineer from the applicant or any
interested person opposing the
application. The request for an
automatic delay must be filed by
May 20, 1991.

If a hearing is held, the Chief
Engineer's recommendation is not
final or binding upon the Board. The
Board is authorized to 1) approve,
2) approve with qualifications, 3)
defer, or 4) deny this application
based on the facts presented at the
public hearing. Any hearing will be

RECEIPT

412672

Division of Water Rights South Dakota Department of Water and Natural Resources

Pierre, _____ May 14, 1991

RECEIVED OF Larry W. Moulton, RR 1, Box 6, Elkton, SD 57026 (State of SD check)
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 4332-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____
(Any Other Work Provided by Law)

Total

50 00

By

John W. Hatcher

Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4332-3

(1) Larry W. Moulton of RR 1, Box 6, Elkton, SD 57026 made Application No. 4332-3, October 10, 1978 for a water permit to appropriate 2.10 cubic feet of water per second from groundwater (one well), Brookings County, South Dakota for irrigation purposes. Permit No. 4332-3 with a priority date of October 10, 1978 was approved November 15, 1978 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before November 15, 1983 and for the application to beneficial use of said water on or before November 15, 1986.

The original Notice of Hearing published October 26 and November 2, 1978, contained an error in the legal description of the diversion point. The point described as being in the SE 1/4 SE 1/4 Section 32, T109N, R47W should have been described as in the SW 1/4 SE 1/4 Section 32.

The readvertisement, published May 1 and 8, 1991, identified the correct location of the well. The readvertised water permit, approved May 28, 1991, did not authorize an increase in the developed diversion rate or acres irrigated.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.34 cubic feet of water per second for beneficial use. The location of the diversion point is: 2610'W and 170'N of the SE corner of Section 32, T109N, R47W (SW 1/4 SE 1/4).

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

T109N, R47W	Section 32
NW 1/4 NE 1/4	33 Acres
NE 1/4 NE 1/4	33 Acres
SE 1/4 NE 1/4	33 Acres
SW 1/4 NE 1/4	26 Acres
Total-----	125 Acres

(4) Pursuant to Section 46-5-30.1 Larry W. Moulton of RR 1, Box 6, Elkton, SD 57026 the holder(s) and/or owner(s) of Water Permit No. 4332-3 is issued a license to appropriate water, the right to use 1.34 cubic feet of water per second from groundwater (one well) with a priority date of October 10, 1978 from the location

specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4332-3 and subject to South Dakota State Law.

 AUG 28 1991

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

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 28 1991

4332-3

Larry W. Moulton
RR 1, Box 6
Elkton, SD 57026

Dear Mr. Moulton:

Enclosed is Water License No. 4332-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412672 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4332-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

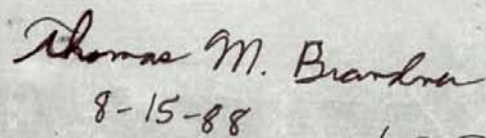
John Hatch

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

enclosures

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

5.0	9.0	7.1	1.9	1.2
				3



4332-3

114.0

Buried pipe

32

65.0

LARRY W. MCDULTON

Irrigation Project # 2

Elkton S. Dakota

Acre Irrigated - NE⁴ sec 32 - 129.47

5.2

113.5

20.2

New wood

13.6

2900'
N 65° W

109.47

10-6-78

John Lewis



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: LARRY W MOULTON, 48549 219TH ST, ELKTON, SD 57026 7302

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) 4332-3 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) 4295-3A 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) 4295-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4332-3 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>

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 24, 2010

4332-3
4295-3A

David Moss
48549 219th St
Elkton SD 57026 7302

Dear Mr. Moss:

I am writing to acknowledge receipt of the 2009 irrigation questionnaires for Water Rights listed in the name of Larry W Moulton. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for these water rights. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

In follow-up to our phone conversation, I am enclosing the following documents:

- Copies of Water Right Nos. 4332-3 and 4295-3A (including map and inspection report);
- 2006-2008 irrigation questionnaires for both water rights.

You can keep them for your files. The copies of the water rights will give you an idea of what is authorized for irrigation. The copies of the questionnaires will show you how Mr. Moulton completed them in the past.

Also enclosed for Alice to sign are partially completed Notice of Transfer of Ownership forms for filing an ownership change on each water right. Upon completion, please return them to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED
APR - 9 2010
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4332-3

Date: 4-5-2010

I/We request that Water Right No. 4332-3

formerly owned by: Larry W Moulton

be transferred to: (name & address)

David E. Mo Alice moulton

48549-219thst

Elkton SD 57026 Telephone No. 605 5422461

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

125 acres - NE 1/4 Section 32, T109N, R47W

I/We understand that the validity of Water Right No. 4332-3 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 Alice Moulton, the new owner, certify that the above information is true and correct.

Alice Moulton
(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 4/9, 20 10

RECEIVED OF Alice Moulton 48549 219th St Elkton SD 57026

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>4332-3</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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04530

By

Louise E. White
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

April 13, 2009



4332-3
4295-3A

Alice Moulton
48549 219th St
Elkton SD 57026 7302

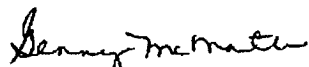
Dear Ms. Moulton:

I am writing to acknowledge receipt "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring ownership of Water Right Nos. 4332-3 and 4295-3A. The ownership changes have been completed. The water rights formerly held by Larry W Moulton are now listed in your name.

Enclosed are your Receipt Nos. 04529 and 04530 in the amount of \$50.00 each. You may keep these for your records.

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



4332-3
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 21, 2011

NOTICE

TO: ALICE MOULTON, 48549 219TH ST, ELKTON, SD 57026 7302

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 4332-3 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) 4295-3A qualification:

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

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

1. Suspend or cancel Permit No(s) 4295-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4332-3 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, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

4332-3

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

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 1420

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

Your item was delivered at 3:27 pm on January 27, 2011 in ELKTON, SD 57026. The item was signed for by R SCHULTZ.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 27, 2011, 3:27 pm, ELKTON, SD 57026
- Notice Left, January 22, 2011, 10:16 am, ELKTON, SD 57026
- Out for Delivery, January 22, 2011, 9:03 am, ELKTON, SD 57026
- Sorting Complete, January 22, 2011, 8:53 am, ELKTON, SD 57026
- Arrival at Post Office, January 22, 2011, 8:06 am, ELKTON, SD 57026
- Processed through Sort Facility, January 22, 2011, 3:52 am, SIOUX FALLS, SD 57104

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

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
024T 2000 0000 0802 1420

ALICE MOULTON
48549 219TH ST
ELKTON SD 57026 7302

mailing.

Waiver of Signature ☐ YES ☐ NOPostmark
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 SERVICE)

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

PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2011

4295-3A
4332-3

Dave Moss
48551 219th St
Elkton SD 57026

Dear Mr. Moss:

I am writing to acknowledge receipt of the 2010 irrigation questionnaires for water rights held by Alice Moulton.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 4295-3A and 4332-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

As you requested, future irrigation questionnaires will be directed to your attention. This does not alter ownership of the water right; it just allows us to send the forms to the person handling the irrigation.

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

c: Alice Moulton



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: DAVID MOSS, MGR, 48551 219TH ST, ELKTON, SD 57026

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) 4332-3 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) 4295-3A 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) 4295-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4332-3 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>

c: ALICE MOULTON, 48549 219TH ST, ELKTON SD 57026 7302

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.

4332-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2013

4295-3A
4332-3

David Moss
48551 219th St
Elkton SD 57026

Dear Mr. Moss:

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. 4295-3A and 4332-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change with each water right. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have them, I have included copies of the water rights. You may keep these for your files. If you have any questions, please contact me.

Sincerely,

Genny McMath
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.denr.sd.gov

May 10, 2013

4295-3A
4332-3

David Moss
48551 219th St
Elkton SD 57026

Dear Mr. Moss:

In January, 2013, I contacted you about filing of ownership changes for Water Rights listed in the name of Alice Moulton. To date, we have not received anything back from you.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change with each water right. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

It is important to keep water rights up to date with current ownership. Under South Dakota Water law, Notice of any sale, grant, lease, conveyance or other transfer of a water right permit or right must be filed with the Chief Engineer of the Water Rights Program within 90 days. No assignment of a permit or right is binding, except upon the parties thereto, unless filed for record in the Water Rights Program.

If you do not own the land and I need to be contacting someone else, please give me a call. Thank you in advance for your help.

Sincerely,

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

enclosures

4332-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 22, 2013

4295-3A
4332-3

David or Rachel Moss
48549 219th St
Elkton SD 57026

Dear Mr. & Mrs. Moss:

I am writing to acknowledge receipt of the transfer of ownership forms you submitted for Water Right Nos. 4295-3A and 4332-3.

The forms were completed properly however the ownership changes cannot be filed for record without the fee as required by statute. My last correspondence may not have been clear with respect to the fee.

A fee of \$50 for each transfer is required (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

Once the \$100 fee filing fee is received, the water rights listed in the name of Alice Moulton will be transferred to your names.

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

RECEIVED

JUL 22 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4332-3

Date: 7-15-13

I/We request that Water Right No. 4332-3

formerly owned by: Alice Moulton

be transferred to: (name & address)

David MOSS or Rachel MOSS
48549-219th St

Elkton SD 57026 Telephone No. 6056955120

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

125 acres - NE 1/4 Section 32, T109N, R47W

I/We understand that the validity of Water Right No. 4332-3 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 David or Rachel MOSS, 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 10/7, 20 13

RECEIVED OF David Moss 48551 219th St Elkton SD 57026

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>4332-3</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. **06455**

By James L. Loeleman
Chief Engineer

4332-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 26, 2013

4295-3A
4332-3

David or Rachel Moss
48549 219th St
Elkton SD 57026

Dear Mr. & Mrs. Moss:

On July 22nd, we received the transfer of ownership forms from you for Water Right Nos. 4295-3A and 4332-3. I wrote back to you to obtain the filing fees as required by statute and to date have not received anything back from you.

A fee of \$50 for each transfer is required (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

Once the \$100 fee filing fee is received, the water rights listed in the name of Alice Moulton will be transferred to your names.

Sincerely,

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

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

4332-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 7, 2013

4295-3A
4332-3

David or Rachel Moss
48549 219th St
Elkton SD 57026

Dear Mr. & Mrs. Moss:

Thank you for following up on the ownership changes for Water Right Nos. 4295-3A & 4332-3.

The ownership changes have been completed. The water rights formerly held by Alice Moulton are now listed in your names.

Enclosed for your records are Receipt Nos. 06454 and 06455 in the amounts of \$50 each. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive.

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

enclosures



4332-3
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: DAVID & RACHEL MOSS, 48549 219TH ST, ELKTON, SD 57026 7302

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) 4332-3 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) 4295-3A 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) 4295-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4332-3 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

RETURN SERVICE REQUESTED

1-20-15
1-29
2-4

CERTIFIED MAIL™



UNITED STATES POSTAGE



2 1R

\$ 03.78⁰⁰

02007087

JAN 16 2015

MAILED FROM ZIP CODE 57501

7013 0600 0001 9748 1986

DAVID & RACHEL MOSS
48549 219TH ST
ELKTON SD 57026 7302

NIXIE

571 DE 1009

0002/17/15

RETURN TO SENDER

UNCLAIMED

UNABLE TO FORWARD

BC: 57501318299

*0935-06621-16-08

5750105182





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 23, 2015

NOTICE

TO: David & Rachel Moss, 48549 219th St, Elkton SD 57026 7302

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

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right
Nos. 4295-3A and 4332-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you twice to pick up and sign for the certified mail.

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

CERTIFICATION

I hereby certify that on February 23, 2015, I have personally deposited with the United States mail at Pierre, South Dakota a first class postage prepaid envelope containing a Notice dated February 23, 2015 regarding the following:

Unclaimed Certified Mail Concerning Violation of Water Right Nos. 4295-3A and 4332-3

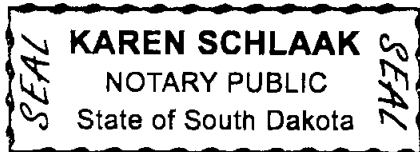
David & Rachel Moss
48549 219th St
Elkton SD 57026

Genny McMath
Genny McMath
Water Right Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 23rd day of February, 2015.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2019





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 2015

4295-3A
4332-3

David & Rachel Moss
48549 219th St
Elkton SD 57026 7302

Dear Mr. & Mrs. Moss:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 4295-3A and 4332-3. 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



4332-3
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 15, 2016

NOTICE

TO: DAVID & RACHEL MOSS, 48549 219TH ST, ELKTON, SD 57026 7302
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 4332-3 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) 4295-3A qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 4295-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4332-3 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 3, 2016** 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 9, 2016

4332-3

David & Rachel Moss
48549 219th St
Elkton SD 57026-7302

Dear Mr. & Mrs. Moss:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 4332-3. 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



4332-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 24, 2017

4332-3

Robert Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

I am writing in regard to ownership of land described in Water Right No. 4332-3. The water right is currently listed in the name of David or Rachel Moss. Enclosed is a copy for your records.

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

Also enclosed is the 2016 irrigation questionnaire. These forms are required annually for all irrigators in South Dakota. Please complete the form and return it along with the transfer form and filing fee. With respect to the information required on the form, if you do not know how many days or hours the system was run during 2016, you can jot down how many inches were applied or even report in kilowatt hours. I have included a couple past irrigation questionnaires to show you how they were completed.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 24, 2017

4332-3

Robert Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

I am writing in regard to ownership of land described in Water Right No. 4332-3. The water right is currently listed in the name of David or Rachel Moss. In January, 2017, I forwarded a copy of the water right, transfer of ownership form and the 2016 irrigation questionnaire to you for completion. To date, we have not received anything back from you.

In the event you no longer have the information sent to you earlier, enclosed is an additional partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2016 irrigation questionnaire. These forms are required annually for all irrigators in South Dakota. If you need assistance in completing the form, please give me a call and I can help walk you through the process.

Thank you in advance for updating the water right. I have included a postage paid envelope for your use in returning the transfer form, filing fee and 2016 irrigation questionnaire.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

August 9, 2017

4332-3

Robert Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

I am writing in regard to ownership of land described in Water Right No. 4332-3. The water right is currently listed in the name of David or Rachel Moss.

In January and again in May, 2017, I wrote to you concerning the need for filing the ownership change and for submitting the 2016 irrigation questionnaire. To date we have not received anything back from you.

Enclosed is another partially completed transfer form. Please complete and return it to our office by **August 28th**. A \$50 fee is required for filing the ownership change.

Under SDCL 46-5-30.3, the notice of any sale, grant, lease, conveyance, or other transfer of an application, permit, or license to appropriate water under the provisions of this title shall be filed with the chief engineer within ninety days. Failure to file is a violation of water rights law that could result in the matter being brought before the Water Management Board for suspension of the water right.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

August 30, 2017

4332-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

I am writing in regard to ownership of land described in Water Right No. 4332-3.

We have received the scanned copy of the transfer of ownership form from you, however as required by statute, a \$50 fee is required for filing the ownership change.

Please remit a total of \$50 either by check or money order made payable to the "Water Rights Program". Once the fee is received, the ownership change will be processed.

I have enclosed a postage paid envelope for your convenience in returning the fee. If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIVED

SEP 05 2017

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4332-3

Date: 8/15/17

I/We request that Water Right No. 4332-3

formerly owned by: David or Rachel Moss

be transferred to: (name & address) Kash Van Dyke 22071 486 Ave
Elkton, SD 57026

Telephone No. 605 695 9873

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

125 acres - NE 1/4 Section 32, T109N, R47W

I/We understand that the validity of Water Right No. 4332-3 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 Kash Van Dyke, the new owner, certify that the above information is true and correct.

Kash Van Dyke

(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 September 5, 2017

RECEIVED OF Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

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>4332-3</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. _____	50.00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08326**

By

Jeanne Goodman

Chief Engineer

Jeanne Goodman



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

September 5, 2017

4332-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

Thank you for sending in the filing fee and the original copy of the transfer of ownership form for Water Right No. 4332-3.

The ownership change has been completed. Water Right No. 4332-3, formerly held by David or Rachel Moss, is now listed in your name.

Enclosed for your records is Receipt No. 08326 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure



4332-3
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 26, 2018

NOTICE

TO: KASH VAN DYKE, 22071 486TH AVE, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 4332-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

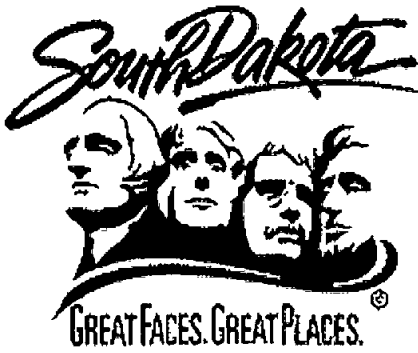
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4332-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** 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
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 14, 2018

4332-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 4332-3. The information was received in our office prior to the Water Management Board meeting and your name was removed 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



4332-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: KASH VAN DYKE, 22071 486TH AVE, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 4332-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4332-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: FJZOOO**

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.



4332-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 26, 2020

4332-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 4332-3. 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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: KASH VAN DYKE, 22071 486TH AVE, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire has not been submitted for Permit No(s) 4332-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4332-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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.

4332-3

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70191120000129103665

Remove X

Your item was picked up at the post office at 1:56 pm on January 26, 2021 in ELKTON, SD 57026.

 **Delivered**

January 26, 2021 at 1:56 pm
Delivered, Individual Picked Up at Post Office
ELKTON, SD 57026

Get Updates ▾

Feedback

- Text & Email Updates
- Tracking History
- Product Information

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ™.	
OFFICIAL USE	
Certified Mail Fee \$	<i>Delivered</i> <i>1-26-2021</i> Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
KASH VAN DYKE 22071 486TH AVE ELKTON SD 57026	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

- ▽
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- ▽



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2021

NOTICE OF ENTRY OF ORDER TO AMEND WATER RIGHT

TO: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: Amendment to Water Right No. 4332-3

On March 3, 2021, the Water Management Board amended Water Right No. 4332-3 to add the following qualification:

- "This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for your failure to return the 2020 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

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

Certification

I hereby certify that on March 4, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 4, 2021 regarding Water Management Board action taken March 3, 2021 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536
 No. 4332-3: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

One Year Suspensions:

No. 515-3: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
 Daniel Benson, 45586 US Hwy 18, Hurley SD 57036
 No. 577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758
 No. 5524-3: Wade & Todd Druin, 30911 457th Ave, Volin SD 57072-6322
 No. 1554A-1: Franklin Dyck, 313 Pierre St, Vale SD 57788
 No. 1935-1: Brian Dyck, 313 Pierre St, Vale SD 57788
 No. 2675-3: Beau Gregg, 22289 Mint Rd, Harrold SD 57536
 Nos. 6822-3, 8070-3 & 8071-3: Roger Hansen, Hansen Properties, PO Box B, Centerville SD 57014
 No. 1150-2: O M Iwan & Sons, 24912 Rocky Ford Rd, Midland SD 57552
 Nos. 4678-3 & 6960-3: Craig Jepsen, Jepsen Farms, 505 Larson St SW, Hutchinson MN 55350-2108
 Nos. 5566-3, 7615-3 & 7616-3: Wayne Reiersen, 30048 Reiersen Pl, Pollock SD 57648
 No. 2350-3: Bill Boyer, River View Farms, PO Box 486, Alcester SD 57001-0486
 No. 2497-2: Marty Vanderploeg, 22958 293rd St., Martin SD 57551

Three Year Suspensions:

No. 4472-3: Darrel Biddle, 37461 287th St, Geddes SD 57342
 No. 7970-3: David Hoops, PO Box 462, Huron SD 57350-0462

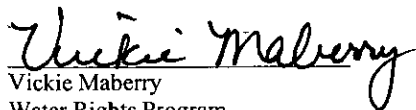
Suspend/Amend

Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3, 974-3 & 1813-3:

- Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014

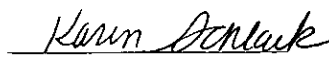
Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

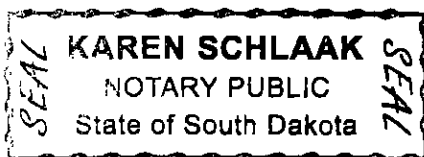
- Brandon Ritter, 30489 115th St, Mound City SD 57646
- Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646


 Vickie Maberry
 Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 4th day of March, 2021.


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2025





DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: KASH VAN DYKE, 22071 486TH AVE, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4332-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4332-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4332-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: GADXCM**

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 14, 2022

4332-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 4332-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

4332-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: KASH VAN DYKE, 22071 486TH AVE, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4332-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4332-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4332-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 7, 2023

4332-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 4332-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: KASH VAN DYKE, 22071 486TH AVE, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4332-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4332-3 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) 4332-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 3, 2025

4332-3
5558A-3

Kash Van Dyke
22071 486th Ave
Elkton SD 57026

Dear Mr. Van Dyke:

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). 4332-3 & 5558A-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



**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: KASH & TRISH VAN DYKE, 48549 219TH ST, ELKTON, SD 57026
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4332-3 & 5558A-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4332-3 & 5558A-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) 4332-3 & 5558A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2026

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Kash & Trish Van Dyke, 48549 219th St, Elkton SD 57026

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

SUBJECT: One Year Suspension of Water Right Nos. 4332-3 & 5558A-3

On March 4, 2026, the South Dakota Water Management Board ordered:

- Effective April 3, 2026, Water Right Nos. 4332-3 & 5558A-3 suspended for the 2026 irrigation season.

This action was taken by the Board for failure to return the 2025 irrigation questionnaires. If the 2025 irrigation questionnaires are received prior to April 3, 2026, the suspensions will not take effect.

A one-year suspension of Water Right Nos. 4332-3 & 5558A-3 means water may not be pumped during the 2026 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2026 unless the 2025 irrigation questionnaires are submitted prior to April 3, 2026.

After April 3, 2026, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2025 irrigation questionnaires and a letter including your reason for not completing the 2025 irrigation questionnaires within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 6, 2026, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

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

NOTE: Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

7021 1970 0000 9489 8278

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☐ Adult Signature Required	\$	
☐ Adult Signature Restricted Delivery	\$	

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Sent to

Street

City, State

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFICATION

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

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

Vernon & Marlys Walkling
29832 267th Ave
Crookston, NE 69212

Vasgaard Properties
28746 462nd Ave
Centerville, SD 57014

Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

John & Bryan Uecker
PO Box 573
Wagner, SD 57380

Twisted Land & Cattle Co.
C/O Brad Peterson
19030 391st Ave
Hitchcock, SD 57348

Tilton Ranch Inc.
C/O Janet Burback
2199 Skinner Rd
Belgrade, MT 59714

Dale Sprague
16221 Twilight Rd
Mud Butte, SD 57758

Greg & Evette Rihanek
814 E State St
Plankinton, SD 57368

Wayne Reiersen
30048 Reiersen Pl
Pollock, SD 57648

Charlotte or Phillip Nichols
7497 Rolling Meadow Dr
West Chester, OH 45069

Wilma Heien (Walter Heien)
PO Box 145
Blunt, SD 57522

David & Jerry Wieber
PO Box 238
Lidgerwood, ND 58053

Vintage Square Estates
PO Box 594
Ft Pierre, SD 57532

Valley View Farms Inc.
17716 458th Ave
Watertown, SD 57201

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Oscar Inc.
C/O Floyd Peterson
209 27th St NW
Huron, SD 57350

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

Terrill Farms Inc.
C/O Tony Terrill
42099 176th St
Clark, SD 57225

Swan Creek Land Co. Inc
PO Box 435
Akaska, SD 57420

Six Mile Creek Golf Course
20307 483rd Ave
White, SD 57276

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

GW Evridge
20151 Saddle Ct
Whitewood, SD 57793

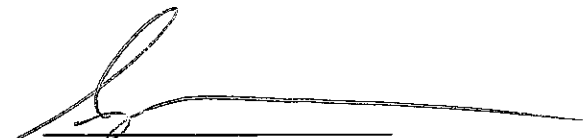
Mark & Melvin Morlock
33820 112th St
Eureka, SD 57437

Laverne Neuharth
33567 109th St
Eureka, SD 57437

Central Valley Golf Club
700 E Hwy 38
Hartford, SD 57033

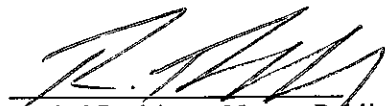
Dale & Mary Helen Bisson
PO Box 844
Ft Pierre, SD 57532

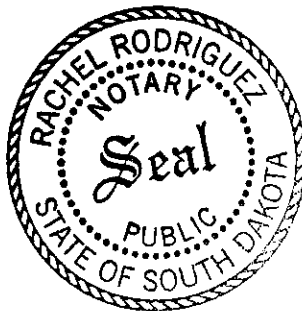
Ryan Edwards
25331 Yellow Eagle Rd
White River, SD 57579


Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6 day of March, 2026.


Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026



9590 9402 6392 0303 3260 96

2. Article Number (Transfer from service label)

7021 1970 0000 9489 8278

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X**☐ Agent☐ Addressee**B. Received by (Printed Name)**

Trish Van Dyke

C. Date of Delivery

3-11-26

D. Is delivery address different from item 1?☐ Yes

If YES, enter delivery address below:

☐ No**3. Service Type**

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

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

USPS TRACKING #



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Permit No. G-10

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United States
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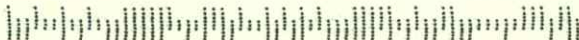
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DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 14, 2026

4332-3, 5558A-3

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Dear Van Dyke's:

This letter acknowledges receipt of your 2025 irrigation questionnaire that you submitted on March 17, 2026, for Water Right Nos. 4332-3 & 5558A-3.

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

Sincerely,

Shannon Konst

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