

1. Considered Jan 30 19 80
2. Name of Applicant TERRANCE ETZKORN
3. Post Office Address PIERRE
4. Amount of Water Claimed NO ADD'L (4.0)
5. Source of Water Supply MISSOURI RIVER
6. Water to be used for IRRIGATION
7. Acres to be irrigated 53 ADD TO ^{maximum} acre feet
8. Water to be diverted and used in HUGHES County
about 35E, 6 miles SOUTH of PIERRE
9. PROOF OF PUBLICATION Received (12) 1-25-80
Not Received _____
- APPLICATION Approved 1-30-80
Subject to _____
Not Approved _____
Action deferred _____

Priority _____ Date _____
Received 1-3-80 Application Complete yes X no _____ FEE 150.00

Remarks to add acreage on existing application
will be ready to receive when

WATER
QUALITY

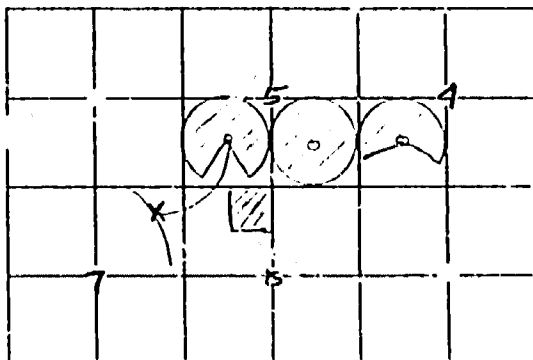
Date information and/or
fee or corrected Application received _____
Period of Annual use APRIL THRU OCTOBER

Received yes Yul 80 no _____ APPROVED (CONDITIONAL) (Circle one)

Wi-1 Description same as application yes X no _____ Remarks _____

Disapproved _____

Returned _____



Diversion Point _____

NE⁴ NE⁴ 7-109-75

Lands to be Irrigated _____

S¹/₂ SEC. 5 ; SW⁴ Sec. 4 ;
NE⁴ NW⁴ Sec 8 all in
T109N - R75W

Remarks _____

Driller _____ Licensed yes _____ no _____

Depth _____

~~PERL
LOG~~

MAP

Map No. 159B-3 Map located in Water Right X Map file _____
Type of Map Initial & Final Decision Prepared by Mernanigh

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1-30-80.
B. Westlund
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS
F.F. & C
OF LAW,
FINAL
DECISIONS
ETC.

Date _____
Final Decision, including F.F. & C of Law were adopted _____
Date _____
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 445B-3Map No. 1598-3 Water Division No. 3 MISSOURI 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 Terrance Etzkorn
 Postoffice address RR #3, Pierre, State SD 57501
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Etzkorn No. 1
4. Amount of water claimed (cubic feet per second) 4.0 (no additional)
5. Source of water supply Missouri River
6. Location of point of diversion 300 feet S and 850 feet W of the NE corner
Section 7, T109N, R75W
- County Hughes
7. Annual period or periods during which water is to be used April thru 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 333 (53 additional)

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.
		SEE ATTACHED SHEET	

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Capitol Journal
12. Principal Features of the Proposed Water Supply System.

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

pump and motor

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

pipelines

C. Works proposed to apply water to beneficial use:

center pivots and flood

Note: This application is for an additional 53 acres to permit No. 2197-3. Pertinent information from Permit No. 2197-3 will be included in this application. Permit No. 2197-3 will be cancelled upon approval of the application.

Estimated Total Cost \$ _____

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)
) ss.
 County of Hughes)

I, Terrance Etzkorn 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 Terrance EtzkornSubscribed and sworn to before me this 2nd day of January 1980

Robert E. Zimmerman
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4458-3

TERRANCE ETZKORN
(Applicant)

RR #3, PIERRE
(Post Office Address)

SOUTH DAKOTA 57501
(State) With the following modifications:

THE APPLICABLE PORTIONS OF PERMIT NO. 2197-3 HAVE BEEN
INCORPORATED INTO THIS PERMIT NO. 4458-3 AND PERMIT
~~NO. 2197-3 HAS BEEN PLACED IN A CANCELLED STATUS.~~ *JH*

Date of first receipt of application JANUARY 3, 1980
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application W/S JANUARY 11, 1980
Approved JANUARY 30, 1980, Recorded in Book 21 Page 123

WATER RIGHT PERMIT NO. 4458-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4458-3 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 JANUARY 3, 1980 & FEBRUARY 6, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 30, 1982
3. The whole of said work is to be completed on or before JANUARY 30, 1985
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 30, 1986
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 NO ADD'L 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 2 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 JANUARY 30, 1986; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 11th day of FEBRUARY, 1980

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 11, 1980 March 19, 1971

Water License Issued FEBRUARY 11, 1980 March 19, 1971 *JH*

Terrance Etzkorn

Area to be irrigated
all in T109N R75W

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5	- 33 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5	- 36 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5	- 22 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5	- 28 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5	- 38 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5	- 26 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5	- 38 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5	- 24 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4	- 38 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4	- 18 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4	- 7 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4	- 6 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8	- <u>19 acres</u>
TOTAL	333 acres

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

RECEIVED

JAN 10 1980

South Dakota
Division of Conservation

APPLICANT'S NAME: Larry E. Horn

OWNER'S ADDRESS: Box 3 Pierre, S.D.

COUNTY, LAND LOCATED IN: Wagles PHONE: 875-3338

INHERENT'S NAME AND ADDRESS: (If Other Than Owner) _____

Plan: Extension of present system

In accordance with State Law SDCL 46-5-6.5, 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: (Show Legal Description to Nearest 10 Acres.)

WELL LOCATION OR DIVERSION POINT: 300 ft. S. & 850' W. of NE corner Sec 7, T109, R75

SURFACE WATER SOURCE MISSOURI RIVER Sec: 4, T109, R75

LOCATION OF AREA TO BE IRRIGATED: NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SE 1/4 SW 1/4

INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
TYPE OF IRRIGATION: (Show approximate acres under each type of system)

GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____

CROPS TO BE IRRIGATED Alfalfa & Corn

SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____

AND: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

SAMPLE NUMBER: _____

SALINITY (EC x 10⁶) MISSOURI RIVER WATER

SODIUM (SAR) _____ ADJUSTED (SAR) _____



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at _____ A.M./P.M. on _____, 19____, at the following location: N/A

(Individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also 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 as been acquired from _____ 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.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
3 DAY OF Jan, 1980

Wynne Sudtke
(NOTARY PUBLIC)
Program Chief/Irrigation

Larry E. Horn
APPLICANT'S SIGNATURE
Keith L. Harner
Director, Division of Conservation
APPROVED _____
DISAPPROVED _____
☒ CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.
In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Terry Newton, Pierre, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:



RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 2 to 4 times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 2.5 inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on any area that tends to pond
4. ☐ Yes ☐ No Subsurface drainage suggested on water.
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils.
- COMMENTS: Especially applicable to Cavo, Denny, and DeGrey soils.
6. ☒ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application partial pivot.

GENERAL COMMENTS:

Approximately 25 acres of the 69 acres under this application are Cavo, Denny, and De Grey soils with a restricted layer of 2 to 10 inches just below the plow depth which take water much more slowly than the surface layer.

Occasional deep tillage should be done under drying conditions to achieve the desired shattering effect rather than just knifing action. This tillage is normally done after harvest or in the fall.

Copy to applicant
Copy to Water Rights
Copy on file

Permit No. 4458-3

Water Diversion No. 3 Missouri River Water District

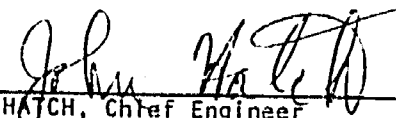
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Terrance Etzkorn

_____ the holder S of
Permit No. 4458-3, issued upon Application No. 4458-3, bearing date of priority of January 30, 1980
~~2 February 6, 1975~~ authorizing the diversion of 4.0 cu. ft. per second of the waters of _____
the Missouri River County of Hughes, State of South Dakota at _____
a point 300 feet S and 850 feet W of NE corner, Section 7, T109N, R75W
_____, for irrigation

_____, has S complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date March 19, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4458-3

(1) WHEREAS, On the 3rd day of January A. D. 19 80
Terrance Etzkorn

made Water Right Application No. 4458-3 for a permit to use 4.0 * cubic feet per second of the waters of the Missouri River

County of Hughes State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 30th day of January A. D. 19 80

Permit No. 4508-3, with a date of priority of January 30, 1980 and February 6, 1975 *

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 30th day of January A. D. 19 85 and for the application to beneficial use of said water on or before the 30th day of January A. D. 19 86

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.0 cubic feet per second of water for beneficial use and,

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

to irrigate the following lands all in T109N, R75W

Section 5		Section 4	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32
NE $\frac{1}{4}$ SW $\frac{1}{4}$	36	NE $\frac{1}{4}$ SW $\frac{1}{4}$	18
SW $\frac{1}{4}$ SW $\frac{1}{4}$	22	SW $\frac{1}{4}$ SW $\frac{1}{4}$	7
SE $\frac{1}{4}$ SW $\frac{1}{4}$	23	SE $\frac{1}{4}$ SW $\frac{1}{4}$	6
NW $\frac{1}{4}$ SE $\frac{1}{4}$	38		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	26	Section 8	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	38	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19
SE $\frac{1}{4}$ SE $\frac{1}{4}$	24		

TOTAL 333 acres

* The applicable portions of Permit No. 2197-3 have been incorporated into this Water License No. 4458-3

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Terrance Etzkorn

_____ of Pierre SD

the holder _____ and owner _____ of said permit No. 4458-3 a water right, dating from January 3, 1980 and

Febraary 6, 1975 to use of 2.0 cubic feet per second of the waters

of the Missouri River

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

purposes hereinbelow mentioned, to be diverted at a point 300 feet south and 850 feet

west of NE corner, Section 7, T109N, R75W

and conducted to and upon portions of lands in Sections 4, 5 and 8, T109N, R75W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4458-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 19th day of March A. D.

Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

May 22, 1979

Terrance Etzkorn
RR #3
Pierre, SD 57501

Dear Mr. Etzkorn:

On May 16, 1979 in the process of making the final inspection of your Water Right Permit No. 2197-3, I found that you were irrigating areas not covered under your permit. In order to comply with the South Dakota Water Laws it will be necessary for you to submit an application to cover the additional area.

Enclosed is a completed Form 2 "Application For Permit to Appropriate Water" for the additional acreage. You should check over the form and enclosed map and make any corrections necessary. Then sign the form and have it notarized and return it to this office with a check for \$150.00 to cover the cost of the filing fee.

It will not be necessary to submit a water sample from the Missouri River. It will be necessary to submit a WI-1 Form along with a soils map covering the additional acreage in Section 4 and 8, T109N, R75W to the Water Quality Laboratory, Water Resources Institute, South Dakota State College, Brookings, South Dakota 57007. Your County Extension Agent has the proper forms and the Conservation District the soils information.

If you have any questions, please feel free to contact this office.

Sincerely,

LEROY J. HERNAUGH
Water Resources Engineer

LJH/gy

encl

T109N R75W

Center Sec. 5

Center of Sec. 4

NE $\frac{1}{4}$ SW $\frac{1}{4}$
33 Ac

NE $\frac{1}{4}$ SW $\frac{1}{4}$
36 Ac

NW $\frac{1}{4}$ SE $\frac{1}{4}$
38 Ac

NE $\frac{1}{4}$ SE $\frac{1}{4}$
20 Ac

NW $\frac{1}{4}$ SW $\frac{1}{4}$
38 Ac

NE $\frac{1}{4}$ SW $\frac{1}{4}$
18 Ac

SW $\frac{1}{4}$ SW $\frac{1}{4}$
12 Ac

SE $\frac{1}{4}$ SW $\frac{1}{4}$
28 Ac

SW $\frac{1}{4}$ SE $\frac{1}{4}$
38 Ac

SE $\frac{1}{4}$ SE $\frac{1}{4}$
24 Ac

SW $\frac{1}{4}$ SW $\frac{1}{4}$
7 Ac

SE $\frac{1}{4}$ SW $\frac{1}{4}$
6 Ac

CP Pad

8" PVC Pipe CP Pad

CP Pad

Drainage
out

7.8" 3" Alum Pipe
6.5

Wake
Shore

Point of Diversion:
300' S & 850' W of line
NE Cor. Sec. 7, T109N R75W

NE $\frac{1}{4}$ NW $\frac{1}{4}$
19 Ac
Flood
Irrigator

Scale 8" = 1 Mi
1" = 630'
5-21-77
by [illegible]
154' = 10 Ac

Terrance Tithorn
Hughes Co

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7204

January 3, 1930

PIERRE,

Terry Etzkorn, RR #3, Pierre SD 57501

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. <u>4458-3</u> (examination, processing, recording and filing) -----	150	(X)
Fee for Inspecting Construction, and Issuing Cert. of Construction No. -----		
Fee for Inspecting Beneficial Use, and Issuing Water License No. -----		
Fee for Issuing Location Certificate-Dry Draw, No. -----		
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	150	(X)

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH

kw

No. 4458-3

Publish first publication, on or before January 18, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 11, 1980

Notice is hereby given Terrance Etzkorn whose post office address is Pierre, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from the Missouri River through the Etzkorn #1, to add acreage on an existing permit, the point of diversion which is to be located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 7, Twp. 109N, Range 75W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S $\frac{1}{2}$ Section 5; SW $\frac{1}{4}$, Section 4 and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T109N, R75W

This Application No. 4458-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building Church & Illinois, Pierre, SD upon the 30th day of January, 1980

at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Terrance Etzkorn, RR #3, Pierre, SD 57501

FORM 6 - Notice of Intent to Appropriate Water
SURFACE WATER

THIRD NOTICE

Division of Water Rights (605) 773-3352

4458-3

October 20, 1980

Terrance Etzkorn
RR #3
Pierre, SD 57501.

Dear Mr. Etzkorn:

On February 12, 1980 and June 30, 1980, we notified you concerning the final inspection fee of \$50.00 which is due before Water License No. 4458-3 and Certificate of Completion of Works can be issued. As of this date, the fee has not been received.

State Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute.

Please remit this amount within 60 days of the date of this letter. The \$50.00 fee is required as a part of the process of perfecting a water right. If the inspection fee is not submitted, your permit can be cancelled for non-perfection of the right the same as if the project was not built or if water was not put to beneficial use. If we do not receive the required inspection fee within the 60 day period, we then expect to give notice of a public hearing to consider the cancellation of Permit No. 4458-3 for non-perfection of the water right.

Please advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7764

PIERRE, October 31, 1980

RECEIVED OF Terrance Fitzkorn, RR #3, Pierre, SD 57501

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No. 4458-3	----	50. 00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4458-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		50. 00

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer

JOHN HATCH / *(CP)*

Permit No. 4458-7Water Division 3. Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Terrance Etzkorn of Rt #3 Pierre, South Dakota 57501 holder of Permit No. 4455-7, bearing date of priority of February 6 ^{and January 3, 1980}, 19 72 ^{*} authorizing the diversion of 4.0 cu. ft. per second of the waters of Missouri River for Irrigation purposes, in Hughes County.

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

The Water Use System consists of,

A. Works used to divert the water:

Motor GE, Model 5K365YK127, Ser# A40S4016.
100 HP. 3550 RPM
Pump Cornell, Model 4YB100-2, Ser# E1867.
Booster at C-P. = GE, Model 5K364YK132, Ser# DL175017
Pump Cornell Model 5K375-2, Ser# E1929 7 3/16

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

2900 ft 8" Aluminum Alloys
4750 ft 8" PVC Pipe

C. Works used to apply water to beneficial use.

Electrodrain Center Pivot, Model 6E5, Ser# 3752410.
pumping 900 gpm.
1500 ft 8" Gated Pipe

The system is in the following condition: GoodThe point of diversion is located 300 ft S. and 850 ft W. of the NE Cor. of Sec. 7, T109N R75WThe works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in T109N R75W.

In Sec. 5, NW 1/4 SW 1/4 - 33 Ac., NE 1/4 SW 1/4 - 36 Ac., SW 1/4 SW 1/4 - 22 Ac.
SE 1/4 SW 1/4 - 28 Ac., NW 1/4 SE 1/4 - 38 Ac., NE 1/4 SE 1/4 - 26 Ac., SW 1/4 SE 1/4 - 38 Ac.
SE 1/4 SE 1/4 - 24 Ac. In Sec. 4, NW 1/4 SW 1/4 - 38 Ac., NE 1/4 SW 1/4 - 18 Ac.,
SW 1/4 SW 1/4 - 7 Ac., SE 1/4 SW 1/4 - 6 Ac., In Sec. 8, NE 1/4 NW 1/4 - 19 Ac.

comprising a total of 333 acres of land.

License for 2.0 cfs

900 GPM

* Applicable portions of 2197-3
incorporated into this W/L

Date July 16, 1979
Lesley L. Menough
(Signature)

No. 4458-3

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

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

June 17, 1981

Terrance Etzkorn
RR #3
Pierre SD 57501

Dear Mr. Etzkorn:

Enclosed herewith are, Water License No. 4458-3 and Certificate of Construction.

Water License No. 4458-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: KW

enclosures

NOTE: The applicable portions of Permit No. 2197-3 have been incorporated into this Water License No. 4458-3.

WNR-817-7/79
Transmittal of Water License

SOUTH DAKOTA

Department of Water & Natural Resources

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

January 29, 1988

TERRANCE ETZKORN
RR #3 BOX 39
PIERRE, SD 57501

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s) 4458-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 4458-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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


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

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



Department of Water & Natural Resources

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

February 25, 1988

4458-3

Terry Etzkorn
Rt 3, Box 39
Pierre SD 57501

Dear Mr. Etzkorn:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4458-3 and the hearing date before the Water Management Board.

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

Very truly yours,

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

#4458-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Terrance Etzkorn
RR 3, Box 39
Pierre, SD 57501

Dear Mr. Etzkorn:

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;

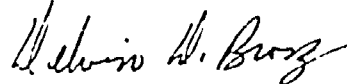


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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,



JOHN HATCH, Chief Engineer
Water Rights Division

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

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

February 9, 1990

TERRANCE ETZKORN
RR #3 BOX 39
PIERRE, SD 57501

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4458-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

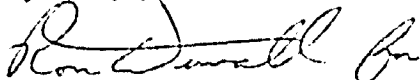
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 4458-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

Very truly yours,



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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 23, 1990

4458-3

Terry Etzkorn
RR 3, Box 39
Pierre SD 57503

Dear Mr. Etzkorn:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 4458-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /KES

RON DUVALL
Natural Resources Engineer
Water Rights Division

4458-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: TERRANCE ETZKORN, 21334 CHAPELLE, PIERRE SD 57501

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

RE: Requirement to Report 1997 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 4458-3 was dated October 17, 1997. Our records indicate that we have not received your 1997 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1997 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users, to report the type of chemical applied, the dates, hours and amount of chemical application

The hearing will be held at 9:45 am, February 25, 1998, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 4458-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 20, 1998, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to February 20, 1998 you will no longer be in violation and your name will be deleted from the Board agenda.

4458-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: TERRANCE ETZKORN, 21334 CHAPELLE, PIERRE, SD 57501 6504

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 4458-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed the owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 4458-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

Is your RETURN ADDRESS completed on the envelope?

SENDER:

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

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

4458-3

TERRANCE ETZKORN
21334 CHAPELLE
PIERRE SD 57501 6504

4a. Article Number

Z 179 157 196

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

5. Signature: (Addressee or Agent)

X *Terrance Etzkorn*

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



PS Form 3811, December 1994

102505-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 1998

4458-3

Terrance Etzkorn
21334 Chapelle
Pierre, SD 57501-6504

Dear Mr. Etzkorn:

I am contacting you in regard to the 1997 chemical reporting form still needed for Water Permit No. 4458-3. On your irrigation questionnaire, received January 23rd, you indicated that chemicals were applied through the system in 1997.

Enclosed is a form for reporting chemical use. Please complete and return the form to our office by February 20th. I have been trying to reach you by phone to take care of this matter, but have been unsuccessful.

If you have any questions or need assistance in completing the form, please get in touch with me.

Sincerely,

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

encl

4458-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 1998

4458-3

Terrence Etzkorn
21334 Chapelle
Pierre, SD 57501-6504

Dear Mr. Etzkorn:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire and chemical reporting information. You may disregard the January 9, 1998, "Notices" concerning reporting requirements for Water Permit No. 4458-3.

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

If you have any questions, please contact me.

Sincerely,

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



4458-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: TERRANCE ETZKORN, 21334 CHAPELLE, PIERRE, SD 57501 6504

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 4458-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4458-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



4458-3

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Current Status

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Your item was delivered at 11:05 am on January 15, 2004 in PIERRE, SD 57501. Waiver of signature was exercised at time of delivery.

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TERRANCE ETZKORN
21334 CHAPELLE
PIERRE SD 57501 6504

iling.

Waiver of Signature ☐ YES ☐ NO

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 21, 2004

4458-3

Terrance Etzkorn
21334 Chapelle
Pierre SD 57501 6504

Dear Mr. Etzkorn:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 4458-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 3, 2005

4458-3

Terrance Etzkorn
21444 Catfish Pl
Pierre SD 57501

Dear Mr. Etzkorn:

Enclosed is a "Notice" dated October 28, 2005 concerning the 2005 irrigation questionnaire. The notice was originally mailed to 21334 Chapelle, Pierre SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



4458-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: LEON ETZKORN, OPERATOR, 21334 CHAPELLE RD, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 4458-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 4458-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

<https://www.state.sd.us/efrms/secure/efrms/E0455V5-IQ.pdf>

c: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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.



4458-3

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LEON ETZKORN, OPERATOR
21334 CHAPELLE RD
PIERRE SD 57501

Waiver of Signature ☐ YES ☐ NO

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4458-3

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 7382	Post TERRANCE ETZKORN 21444 CATFISH PL PIERRE SD 57501-6523 Valver of Signature ☐ YES ☐ NO Postmark Here	Pre mailing. POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811 CHECK ONE (POSTAL USE ONLY) ☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel

POST Form 3849, May 2002 (Rev. 11/01) (PSN: 7500-01-000-9000)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 2, 2007

4458-3

Leon Etzkorn
21334 Chapelle Rd
Pierre SD 57501

Dear Mr. Etzkorn:

Thank you for stopping by the office to drop off your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 4458-3.

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

If you have any questions, please contact me.

Sincerely,

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

c: Terrance Etzkorn



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

No. 4458-3

July 24, 2015

Terrance Etzkorn
21444 Catfish Pl
Pierre SD 57501

Dear Mr. Etzkorn:

On Thursday, July 23, 2015, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray had recently occurred from the irrigation system located in the SE 1/4 Section 5-T109N-R75W onto Hwy 34. This irrigation system is covered by Water Right No. 4458-3 which is held by you.

It is common for center pivots to have stops which are used to shut off the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund /KS

Eric Gronlund
Water Rights Program, DENR
605-773-3352

enclosure

Schlaak, Karen

From: Gronlund, Eric
Sent: Thursday, July 30, 2015 9:23 AM
To: Duvall, Ron; Stonesifer, Joe
Cc: Schlaak, Karen
Subject: RE: Irrigation onto highway

We sent a letter to the water right holder. I just received a call from Leon Etzkorn. He said there was a malfunction on the endgun shut-off that has been fixed. He apologized and said he would monitor it to insure it functions properly.

From: Stonesifer, Joe
Sent: Friday, July 24, 2015 8:27 AM
To: Duvall, Ron
Subject: Irrigation onto highway

Ron, I'm not sure who exactly to contact about this, so I picked you,

I was driving home on HWY 34 last night on a work trip. At almost exactly 6:00 pm I drove by an irrigation pivot located on the SE1/4 of Sec 5, T109N-R75W. There was evidence that the pivot had just sprayed water onto HWY 34. I did not see it spray onto the road, but about half of the eastbound lane was very wet, about 10-15 feet in length along the road. When I drove by the pivot was spraying a bit into the ditch and not onto the road anymore. This pivot has an end nozzle; I suspect that this was equipment that actually did the spraying onto the road.

I believe this is a huge safety concern. This is a major highway in SD. And at 6 pm on a work week evening, there was probably very heavy traffic for the road considering people are getting off work in Pierre at 5 and traveling at this time.

Joe Stonesifer
Environmental Engineer I
SD DENR - Surface Water Quality Program
Pierre, SD
773.4050



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

4458-3

August 28, 2017

Terrance Etzkorn
21444 Catfish Pl
Pierre SD 57501

Dear Mr. Etzkorn:

On the morning of August 28, 2017, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the SE 1/4 Sec 5-T109N-R75W onto Hwy 34. This irrigation system is covered by Water Right No. 4458-3 which is held by you.

It is common for center pivots to have stops which are used to shut off the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes end gun overspray upon lands, including roadways, not authorized by the water right. Application of water to a roadway or unauthorized lands is a waste and unreasonable use of water pursuant to SDCL 46-1-4.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, August 28, 2017 8:49 AM
To: Schlaak, Karen
Subject: overspray

Earl Berg with the AQ Program called in.

He witnessed one of the pivots authorized by WR No. 4458-3 (Terrance Etzkorn) overspraying on to Hwy 34

No. 4458-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 4458-3

ADDRESS: COUNTY: Hughes County

DATE: August 30, 2017 TELEPHONE:

RE: call from Gene Meleen in response to overspray letter on Water Right No. 4458-3

Mr. Meleen called in regard to the August 28th letter sent to Terrance Etzkorn regarding overspray from the center pivots authorized by Water Right No. 4458-3. Mr. Meleen farms the property. He indicated it was not his pivot overspraying on to the neighboring property but instead the neighboring center pivot.

NAME: Eric Thompson



4458-3
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: GENE MELEEN, OPERATOR, 21448 CATFISH PL, PIERRE, SD 57501

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) 4458-3 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) 4458-3 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>

TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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

January 30, 2018

4458-3

Gene Meleen
21448 Catfish Pl
Pierre SD 57501

Dear Mr. Meleen:

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. 4458-3. 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

c: Terrance Etzkorn



4458-3
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 25, 2019

NOTICE

TO: GENE MELEEN, OPERATOR, 21448 CATFISH PL, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 4458-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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 6, 2019 at 10:30 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) 4458-3 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 6, 2019** 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>

c: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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.



4458-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2019

4458-3

Gene Meleen
21448 Catfish Pl
Pierre SD 57501

Dear Mr. Meleen:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 4458-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, reading "Genny McMath".

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

c: Terrance Etzkorn



**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: GENE MELEEN, OPERATOR, 21448 CATFISH PL, PIERRE, SD 57501

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 has not been submitted for Permit No(s) 4458-3 as required by administrative rule 74:02:01:14.02. 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 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 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4458-3 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 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: BACBTU**

c: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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 8, 2022

4458-3

Gene Meleen
21448 Catfish Pl
Pierre SD 57501

Dear Mr. Meleen:

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. 4458-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Terrance Etzkorn, 21444 Catfish Pl, Pierre SD 57501-6523



**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: GENE MELEEN, OPERATOR, 21448 CATFISH PL, PIERRE, SD 57501

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 has not been submitted for Permit No(s) 2432-3 & 4458-3 as required by administrative rule 74:02:01:14.02. 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 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 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2432-3 & 4458-3 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 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: VQGLMA**

c: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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

February 23, 2023

2432-3
4458-3

Gene Meleen
21448 Catfish Pl
Pierre SD 57501

Dear Mr. Meleen:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit Nos. 2432-3 and 4458-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Terrance Etzkorn, 21444 Catfish Pl, Pierre SD 57501-6523



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: GENE MELEEN, OPERATOR, 21448 CATFISH PL, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire has not been submitted for Permit No(s) 2432-3 & 4458-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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 6, 2024 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2432-3 & 4458-3 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 6, 2024** 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: GYMVJI**

TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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 16, 2024

2432-3

4458-3

Gene Meleen
21448 Catfish Pl
Pierre SD 57501

Dear Mr. Meleen:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 2432-3 & 4458-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

cc: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523



**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: GENE MELEEN, OPERATOR, 21448 CATFISH PL, PIERRE, SD 57501

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 has not been submitted for Permit No(s) 2432-3 & 4458-3 as required by administrative rule 74:02:01:14.02. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2432-3 & 4458-3 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 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: YQGJQX**

cc: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523

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 4, 2025

2432-3
4458-3

Gene Meleen
21448 Catfish Pl
Pierre SD 57501

Dear Mr. Meleen:

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). 2432-3 & 4458-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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

cc: TERRANCE ETZKORN, 21444 CATFISH PL, PIERRE SD 57501-6523