

1. Considered 3-26 19 80
2. Name of Applicant MELVIN JENSEN
3. Post Office Address RR # 3, PIERRE, S.D.
4. Amount of Water Claimed 16.3
5. Source of Water Supply MISSOURI RIVER & DRY RUN CREEK
6. Water to be used for IRRIGATION
7. Acres to be Irrigated 1141.5 maximum acre feet
8. Water to be diverted and used in HUGHES County
about 6 miles EAST of PIERRE
9. PROOF OF PUBLICATION Received 3-25-80
Not Received _____
- APPLICATION Approved 3-26-80
Subject to Cancelled 1376-3 & 2103-3
Not Approved _____
Action deferred _____

Priority _____ Date Received 2-12-80 Application Complete yes X no _____ FEE 150.00

Remarks to add additional lands not already under # 1376-3 & 2103-3 discovered during W/L inspection. old permits to be cancelled all incorporated into this appl.

Date information and/or

fee or corrected Application received

Period of Annual use April thru October

WATER
QUALITY

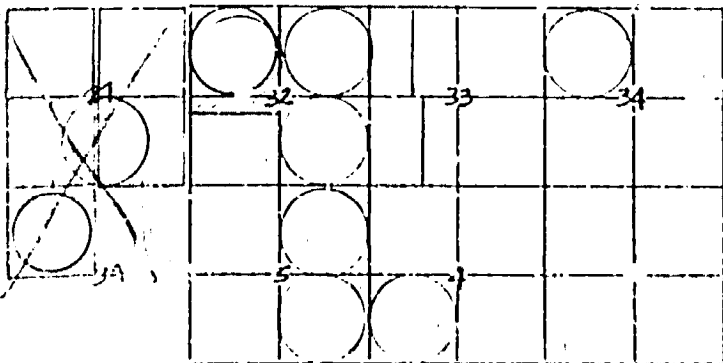
Received yes 3/6/80 no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no _____ Remarks _____

1.3 acres added is the only land requiring WQ at this time

Disapproved _____

Returned _____



Diversion Point From the Missouri River,
SE⁴ SE⁴ Section 3-T110N-R78W & from
Dry Run Creek in NE⁴ SW⁴, Section 28
T110N-R78W

Lands to be Irrigated E¹/₂ SW⁴ & SE⁴,
Section 27; NW⁴, Section 31; W¹/₂,
Section 33; E¹/₂, NW⁴ & NW⁴ SW⁴,
Section 32 all in T110N, R78W and
E¹/₂, Section 5; SW⁴, Section 4 all
in T110N, R78W.

Remarks _____

Driller _____ Licensed yes _____ no _____

Depth _____

WEI
LOG

MAP Map No. 3700-3 Map located in Water Right X Map file _____
 Type of Map Aerial & Drawn Prepared by Murrough

+++++

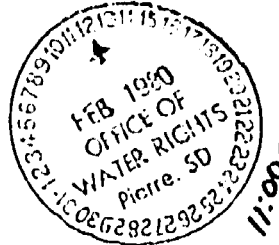
REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3-26-80.
Edgewood
 (Signed)

+++++

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

REMARKS Date
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC.

Remarks _____

No. 4475-3Map No. 3700-3 Water Division No. 3 MISSOURI RIVER District
Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☒

1. Name of Applicant Melvin Jensen Phone No. 224-5611
 Post Office Address RR #3 Pierre State SD 57501
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) completed3. Name of diversion work Jensen Missouri River Project4. Amount of water claimed (cubic feet per second) 16.3 (no additional)5. Source of water supply Missouri River and Dry Run Creek6. Location of point of diversion 50 ft N and 30 ft W of the SE corner Section 8, T110N, R78W
and N54° 30' E 152 rods from SW corner Section 28, T111N, R78WCounty Hughes7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use 1141.5 (Total number of acres to be irrigated 1148 (no 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.
<u>see attached sheet</u>	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use completed years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water CAPITOL JOURNAL

12. Principal Features of the Proposed Water Supply System.

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

pumps and motors

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

pipeline

C. Works proposed to apply water to beneficial use.

center pivot and gated pipe

NOTE: This permit is to cover land not covered under Permit Nos. 1376-3 & 2103-3. Upon approval of this application, Permits No. 1376-3 & 2103-3 will be cancelled and pertinent information from these permits will be transferred to this permit.

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, Melvin E. Jensen 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 Melvin E. JensenSubscribed and sworn to before me this 11th day of February, 1960

Don Wernmann
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4475-3

MELVIN JENSEN RR #3 - PIERRE
(Applicant) (Post Office Address)
SOUTH DAKOTA 57501 With the following qualifications.
(State)

The applicable portions of Permits Nos. 1376-3 and 2103-3 have been incorporated into this Permit No. 4475-3, and Permits Nos. 1376-3 and 2103-3 have been placed in a cancelled status.

PRIORITY IS ESTABLISHED BY PERMITS NOS. 1376-3 & 2103-3.

Date of first receipt of application FEBRUARY 12, 1980
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved MARCH 26, 1980, Recorded in Book 21 Page 149

WATER RIGHT PERMIT NO. 4475-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4475-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 6.73 CFS FROM MARCH 2, 1967 AND 9.67 CFS FROM AUGUST 2, 1974
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ _____
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
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 16.3 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 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 THIS DATE; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 1ST day of APRIL, 1980

THE BOARD OF WATER MANAGEMENT

By: John Hatch
 Chief Engineer, Water Rights

Certificate of Construction Issued May 21, 1980

Water License Issued May 21, 1980

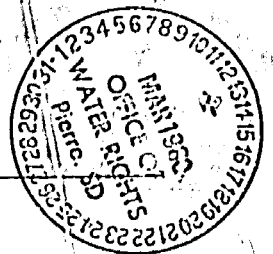
Melvin Jensen

Land under irrigation

Section	Legal Desc.	Acres.	Section	Legal Desc.	Acres.
THIRTEEN 4	NW $\frac{1}{4}$ NW$\frac{1}{4}$ SW $\frac{1}{4}$	32	THIRTEEN 33	NW $\frac{1}{4}$ NW $\frac{1}{4}$	13
	NE $\frac{1}{4}$ NW$\frac{1}{4}$ SW $\frac{1}{4}$	32		SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
	SW $\frac{1}{4}$ SW$\frac{1}{4}$ SW $\frac{1}{4}$	32		NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
	SE $\frac{1}{4}$ SW$\frac{1}{4}$ SW $\frac{1}{4}$	32		SE $\frac{1}{4}$ SW $\frac{1}{4}$	10
5	NW $\frac{1}{4}$ NE $\frac{1}{4}$	32	34	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32		SE $\frac{1}{4}$ SW $\frac{1}{4}$	10
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	15.7		NW $\frac{1}{4}$ NW $\frac{1}{4}$	32
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	32		NE $\frac{1}{4}$ NW $\frac{1}{4}$	32
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	23.8		SW $\frac{1}{4}$ NW $\frac{1}{4}$	32
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32		SE $\frac{1}{4}$ NW $\frac{1}{4}$	32
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	32	27	NW $\frac{1}{4}$ SW $\frac{1}{4}$	0.7
THIRTEEN 32	SE $\frac{1}{4}$ SE $\frac{1}{4}$	32		SE $\frac{1}{4}$ SW $\frac{1}{4}$	18
				NW $\frac{1}{4}$ SE $\frac{1}{4}$	38
				NE $\frac{1}{4}$ SE $\frac{1}{4}$	8
				SW $\frac{1}{4}$ SE $\frac{1}{4}$	38
				SE $\frac{1}{4}$ SE $\frac{1}{4}$	7
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	17	Total		1141.5
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	17			
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	37			
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	37			
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	8			
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	8			
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	21			
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32			
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	32			
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	32			
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	32			
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	32			
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	32			

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Helvin Jensen, Pierre, SD



SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on any area that tends to pond water.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils. Would be applicable to the south 5 to 15 acres of the pivot area on the R. A. Ree-Mosher soil complex.
6. ☒ Heavy fall application of irrigation water. See below
7. Type of irrigation system recommended for use on this application pivot

GENERAL COMMENTS:

Your area of concern is Ree-Mosher soil complex on the extreme south side of the pivot acres. The Mosher portion of this soil complex has dense subsoils with natural excess amounts of sodium. The tendency will be for these small areas to show up as slickspots, where the salt accumulation is within a few inches of the surface.

If and when the time comes that you have germination problems and/or suppressed crop growth, internal pipe drainage to Dry Run Creek will be an alternative that will allow you to perform leaching with your good river water to improve the conditions. This may be accomplished in the fall.

Copy to applicant
Copy to Water Rights
Copy on file

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

RECEIVED

FEB 12 1980

South Dakota
Division of Conservation

APPLICANT'S NAME: William E. Jensen OWNERS ADDRESS: Pierre S.D.
COUNTY LAND LOCATED IN: Hughes PHONE: RR 3 Pierre
EQUANT'S NAME AND ADDRESS: (If other than owner)

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.

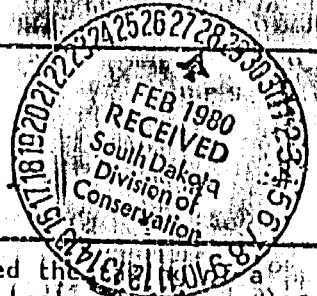
LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.) N 1/2 Sec 20 E Sm 4 Cont. 35 211-78
WELL LOCATION OR DIVERSION POINT: 50' N 4 30' W of SE Corner 2-110-78 Reservoir 1 Center 33 and SW 28- 111-78

SURFACE WATER SOURCE Missouri River
LOCATION OF AREA TO BE IRRIGATED: N 1/2 Sec 27 (36 acres) NE 1/4 Sec 27 (9 acres) SE 1/4 Sec 27 (9 acres)
INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: Eachstead, sl. alter belts, wetlands, etc.

TYPE OF IRRIGATION: (Show approximate acres under each type of system)
GRAVITY TOWLINE CENTER PIVOT GUN OTHER (Specify)
CROPS TO BE IRRIGATED
SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:
LAND: Previous permit 2103-3
IN WHAT NAME:

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

SAMPLE NUMBER: Missouri River
SALINITY (EC X 10⁶) 670
SODIUM (SAR) 1.73 ADJUSTED (SAR) 2.43 1.70



I hereby certify that I personally obtained or that I personally observed the 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. NA, 19 , at the following location:

(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 is been acquired from Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the land 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
12 DAY OF February, 1980.

Darlene A. Thiede
(NOTARY PUBLIC)

Secretary, Irrigation Program.

APPLICANT'S SIGNATURE

William E. Jensen
Director, Division of Conservation

APPROVED

DISAPPROVED

X 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.

Permit No. 4475-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Melvin Jensen

_____ the holder _____ of
Permit No. 4475-3, issued upon Application No. 4475-3, bearing date of priority of 6.72 cfs from
March 2, 1967 @ 9.67 cfs
from August 2, 1974 authorizing the diversion of 16.3 cu. ft. per second of the waters of the
Missouri River & dry draw County of Hughes, State of South Dakota at _____
from the Missouri River 50'N & 30' W of SW corner, Section 8, T110N, R78W, Dry
Run Creek, N54°30'E, 152 rods from SW corner, Section 28, T111N, R78W
_____, for irrigation

purposes, has _____ 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 16.3 cu. ft. per second of water.

Date May 21, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4475-3

(1) WHEREAS, On the 12th day of February, A.D. 19 30

Helvin Jensen

made Water Right Application No. 4475-3 for a permit to use 16.3 cubic feet per second of the waters of the Missouri River and Dry Run Creek

County of Hughes, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 26th day of March, A.D. 19 30

Permit No. 4475-3, with a date of priority of 6.22 from March 2, 1967 & 9.67 from August 2, 1974

was issued to said applicant for the diversion of said water, and ~~XXXXXX~~ ^{recognizing} the completion of construction of the water supply system therein described ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ and for the application to beneficial use of said water ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~

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 16.3 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 lands in Section 4, 5 and 32, T110N, R78W and Section 33, 34 and 37,
T111N, R78W (see attached sheet).

IN WITNESS WHEREOF, The applicable portions of Permits No. 1376-3 and 2103 have been
incorporated into this Water License No. 4475-3 and Permits No.
1376-3 and 2103-3 have been placed in a cancelled status.

(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 Melvin Jansen

_____ of Pierre SD
the holder _____ and owner _____ of said permit No 4475-3 a water right, dating from 6.73 from March 2, 1967 & 9.67 from August 2, 1974 to use of 16.3 cubic feet per second of the waters of the Missouri River and Dry Run Creek

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 ~~XX~~ from the Missouri River 50' N & 30' W of SE corner, Section 8, T110N, R78W; Dry Run Creek, N54° 30'E, 152 rods from SW corner, Section 28, T111N, R78W

and conducted to and upon (see attached sheet)

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4475-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of May A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

No. 4475-3

Publish first publication, on or before March 14, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 7, 1980

Notice is hereby given Melvin Jensen 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 16.3 cubic feet of

water per second of time from the Missouri River and Dry Run Creek through the Jensen Missouri River Project, to add additional acreage on an existing permit, the points of diversion which are to be located from the Missouri River in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8-T110N, R78W and from Dry Run Creek in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, T111N, R78W

and for the purpose of providing irrigation on portions of the following described land:

E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 27; NW $\frac{1}{4}$, Section 34; W $\frac{1}{2}$, Section 33; E $\frac{1}{2}$, NW $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 32 all in T111N, R78W and E $\frac{1}{2}$ Section 5; SW $\frac{1}{4}$, Section 4, all in T110N, R78W

This Application No. 4475-3 will be considered by the Water Management Board at the SDEA Auditorium, 411 E Capitol, Pierre, SD upon the 26th day of March, 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. Any handicapped person wishing to attend this hearing can contact the Water Rights Division, SWWR, Foss Building, Pierre, SD prior to the hearing date for assistance to assure access.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Melvin Jensen, RR #3, Pierre, SD 57501

FORM 6 - Notice of Intent to Appropriate Water
SURFACE WATER

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7316

PIERRE, February 12, 1980

RECEIVED OF H & J Ranch, Helvin E. Jensen, 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. 4475-3 (examination, processing, recording and filing)	150	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-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	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH kw

Permit No. _____

Water 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 Melvin Jensenof RR #3, Pierre, S. Dak. 57501 holder _____
of Permit No. 4475-3, bearing date of priority of 6.73 cfs, March 2, 1967
9.67 cfs, Aug 2, 1974authorizing the diversion of 16.4 cu. ft. per second of the waters of Missouri River & Dry Run Creek.
for Irrigation purposes, in Hughes County County.

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

The Water Use System consists of,

A. Works used to divert the water: Pumps at Missouri River - See Reverse Side.
Pump at Dry Run Diversion Point and For Gravity System (same pump)
Engine, Chrysler Industrial V8 Propane, Model HT413-201,
Ser # 749622, Pump, Berkeley Model B6 JGBM-CIV,
Ser # N01513W.B. Works used to transport water to place of use,
6600 ft 16" dia Steel Pipe 3450 ft 12" dia Alum Pipe
5590 ft. 14" dia PVC " 3970 ft 8" dia " "
1320 ft 12" dia PVC " All Pipe Underground Except Aluminum
9800 ft 8" dia. PVC "C. Works used to apply water to beneficial use.
2640 ft. Gated Pipe for Gravity.
See Reverse Side for Center Pivot InformationThe system is in the following condition: GoodThe point of diversion is located Missouri River, 56' N & 30' W of SE Cor Sec. 8,
T11N R78W; Dry Run Creek, N 54° 30' E, 152 Rds from SW Cor
Sec. 28, T11N R78WThe works are capable of diverting and conveying to the place of use 16.4cu. 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: _____

See Attached Sheet.comprising a total of 1148.5 acres of land.Date May 14 1977Leroy J. Monaghan
(Signature)

A. Works Used to Divert Water

Pump Site at River

East Pump: Motor Marathon Model 365T1D57313AA, Ser # DN75554-12/11-2

Pump: Cornell Model 47B-VM100-2, Ser No E 2056 100 HP. 3530 RPM

2nd From East Pump: Motor Same as above, Ser # DN 95524-12/10

Pump: Same as above Ser No 2055.

3rd From East Pump: Motor Same as above Ser # DN 92254-12/10

Pump: Same as above Ser No E 2057.

West Pump: Motor: Same as above, Ser No. EB-92257-2/10

Pump Same as above Ser No. E 2059

Pump at NE corner of dam in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32 For Center
Pivots in NW $\frac{1}{4}$ Sec. 34 and S $\frac{1}{2}$ Sec. 27.

Motor: GE Model 5K624YK132, Ser # CK 164031, 75 HP. 3535 RPM.

Pump: Cornell Model 5WB75-2, Ser # E1781 8 $\frac{5}{8}$

C. Works Used to Apply water to beneficial use: (Cont)

Center Pivot in SW $\frac{1}{4}$ Sec 4, Electrogator, Model 5E5, Ser # 1752319

Center Pivot in SE $\frac{1}{4}$ Sec. 5. Electrogator, Model 680, Ser # 379C5810

Booster for CP. located 17320 ft E of above CP.

Motor: GE, Model 5K62457X11313A, Ser # KJ5105 3347, 75 HP. 3530 RPM

Pump: Cornell, Model 5WBVM75-2, Ser # E1815 8 $\frac{5}{8}$

Center Pivot in NE $\frac{1}{4}$ Sec 5, Electrogator, Model 5E5, Ser # 1752323

Booster Pump: 15 ft E of CP, Motor GE Model 5K62457X113141, 60 HP

Ser # 5J5330446, Pump: Cornell, Model 5WBVM60-2 3530 RPM

Ser # E 1809

Center Pivot in SE $\frac{1}{4}$ Sec. 32, Electrogator Model 680, Ser # 379C5783

Booster, Motor GE, Model 5K6257KH2003A, Ser # DMJ414260,

60 HP., 3545 RPM, Pump Cornell, Model 5WBVM60-2, Ser # 25105

Center Pivot in NE $\frac{1}{4}$ Sec. 32, Electrogator, Model 680, Ser # 479C5844

Center Pivot in NW $\frac{1}{4}$ Sec 32, Electrogator, Model 2-6E5, Ser # 3752356.

Center Pivot in NW $\frac{1}{4}$ Sec 34, Alumigator, Model 5E5, Ser # 275A1075

Center Pivot in S $\frac{1}{2}$ Sec 27, Electrogator, Model 680, Ser # 479C5838

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7495

PIERRE, May 5, 1930

RECEIVED OF Helvin Jensen, H & J RANCH, 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. 447533 -----	50.00	
Fee for Inspecting Beneficial Use, and issuing Water License No. 4475-3 -----		
Fee for issuing Location Certificate-Dry Draw, No. -----		
Fee for filling -----		
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 (C.E.)

9-11-80

Phone call from Mel Jensen
wanting to know if it was
legal to pump water into
storage to provide stockwater
use for Mr. Mathews. Water
will be pumped to a dugout
and what storage is left
in Aricara Lake. Aricara
Lake apparently provides
discharge to a small well
^{below the dam that}
Mathews uses for livestock.
Don't think there will amount
to more than 4-5 acre feet of
water, and should provide
stockwater for all of his fall
pasturing use.

September 11, 1980

Melvin E Jensen
RR #3
Pierre, SD 57501

Dear Mr. Jensen:

Telephone calls from Mr. Mattheis and you request authorization to pump water through your irrigation system into storage to provide stockwater for Mr. Mattheis' use.

By this letter, you are authorized to provide sufficient water for Mr. Mattheis as requested.

Sincerely,

BURTON F JONES
Water Rights Specialist

BFJ/gy

 **Department of
Water & Natural Resources**

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

March 23, 1987

MELVIN JENSEN
HCR 531, BOX 6
PIERRE, SD 57501

NOTICE

Re. Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4475-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 4475-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

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



Department of Water & Natural Resources

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

April 15, 1987

4475-3

Melvin Jensen
HCR 531 Box 6
Pierre, SD 57501

Dear Mr. Jensen:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 4475-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 29, 1988

MELVIN JENSEN
HCR 531, BOX G
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). 4475-3. 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, 46-2-5, 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). 4475-3 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
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 9, 1988

4475-3

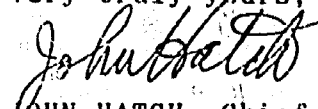
Melvin Jensen
HCR 531, Box 6
Pierre SD 57501

Dear Mr. Jensen:

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. 4475-3 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

 **Department of
Water & Natural Resources**

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

February 8, 1989

MELVIN JENSEN
HCR 531, BOX G
PIERRE, SD 57501

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4475-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

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

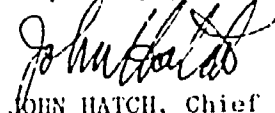
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 4475-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

Very truly yours,



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



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

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

February 24, 1989

4475-3

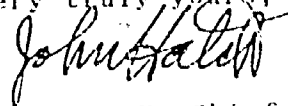
Melvin Jensen
HCR 531 Box 6
Pierre, SD 57501

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 4475-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

MELVIN JENSEN (ESTATE)
HCR 531, BOX 6
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). 4475-3. 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). 4475-3 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

17753

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 14, 1990

4475-3

Dave Jensen
HCR 531 Box 107B
Pierre, SD 57501

Dear Mr. Jensen:

I am writing to acknowledge receipt of the 1989 irrigation questionnaire for Water Permit No. 4475-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire (originally sent to Melvin Jensen Estate). 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/mra

RON DUVALL
Natural Resources Engineer
Water Rights Division

NOTICE OF TRANSFER OF OWNERSHIP

No. 4475-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: March 2, 1990



I/We request that Water Permit/Right No. 4475-3

formerly owned by: Melvin Jensen

be transferred to: (name & address) John Pillote, 26 Lakeview Drive,
Marquette, Michigan 49855 (telephone No.) 906-225-3945

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

1141.5 acres - SW $\frac{1}{4}$ Sec 4, E 1/2 Sec 5, T110N, R78W; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E 1/2 Sec 32,

W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec 33, NW $\frac{1}{4}$ Sec 34, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec 27, T111N, R78W

I/We understand that the validity of Water Permit/Right No. 4475-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

MICHIGAN
STATE OF SOUTH DAKOTA)
County of MARQUETTE)

I/We John Pillote, being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

John Pillote
(Signed)

Subscribed and sworn to before me this 15 day of March, 19 90.

JENNIFER CORE
NOTARY PUBLIC
SOUTH DAKOTA

Deborah A. Boyle
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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

Division of Water Rights

South Dakota Department of Water and Natural Resources

612013

TIBball Lawfirm for, Pierre, July 16, 19 90
RECEIVED OF (John Pöllote, 26 Lakeview Dr, Marquette, MI 49855) 401 E Sioux, Pierre SD
the following amount in fees for services rendered as provided for by law: 57501

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. _____		
Fee for Filing Transfer Form _____ Water Right No, 4475-3	2	50
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	2	50

By: John Pöllote
Chief Engineer

 **Department of
Water & Natural Resources**

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

July 23, 1990

No. 4475-3

Tidball Lawfirm
401 E Sioux
Pierre SD 57501

Dear Sir:

Enclosed is a receipt in the amount of \$2.50 which your firm paid for the transfer of Water Right No. 4475-3.

Our records now show John Pillote as the owner of this Water Right.

Sincerely,


KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-3352

enclosure

cc: John Pillote

SENDER:

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

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JOHN PILLOTE
26 LAKEVIEW DR
MARQUETTE MI 49855

4a. Article Number

4475-3 P 378 081 392

4b. Service Type

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

7. Date of Delivery

2/7/87

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

E. Kuf

Domestic Return Receipt

4475-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JOHN PILLOTE, 26 LAKEVIEW DR. MARQUETTE, MI 49855

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 4475-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4475-3 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 28, 1997, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

4475-3

John Pillote
26 Lakeview Dr
Marquette, MI 49855

Dear Mr. Pillote:

I am writing to acknowledge receipt of your letter concerning the 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed a questionnaire for you based on information in your letter. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

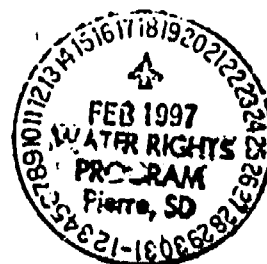
If you have any questions, please contact me.

Sincerely,

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

4475-3

Don Duvall Natural Resource Engineer
Department of Environmental and Natural Resources
Joe Foss Bldg.
523 East Capital
Pierre, South Dakota 57501



Between July 8 and Sept. 3 we irrigated our fields using an estimated 60 million gallons of water.

John F. Pillote
John F. Pillote
Pillote Farms

P.S. I did not receive any prior notice.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 27, 1998

4475-3

John Pillote
HC 1 Box 886
Michigamme, MI 49861-9600

Dear Mr. Pillote:

Enclosed is a "Notice" dated October 16, 1998 concerning the 1998 irrigation questionnaire. The notice was originally mailed to 26 Lakeview Dr., Marquette, MI. 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



January 22, 1999

4475-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: JOHN PILLOTE, 26 LAKEVIEW DR, MARQUETTE, MI 49855

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 4475-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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, March 3, 1999, 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) 4475-3 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, 1999, 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.

4475-J

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JOHN PILLOTE
26 LAKEVIEW DR
MARQUETTE MI 49855

4a. Article Number

P378080687

4b. Service Type

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

7. Date of Delivery

1-26-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

[Handwritten Signature]

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

PS Form 3811, December 1994

102595-08-0 0229

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
www.state.sd.us/deir

February 24, 1999

John Pillote
HCR 1 Box 886
Michiganme, MI 49861-9600

4475-3

Dear Mr. Pillote:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 4475-3.

Kerry Smith stopped by the office and completed the questionnaire. I am enclosing a typed copy of the form we completed. You may keep this for your records.

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: Kerry Smith 5500 SD Hwy 34, Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: JOHN PILLOTE, HCR 1 BOX 886, MICHIGAMME, MI 49861 9600

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 4475-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4475-3 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 28, 2000, 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.

4475-3

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

JOHN PILLOTE
HCR 1 BOX 886
MICHIGAMME MI 49861 9600

COMPLETE THIS SECTION ON DELIVERY

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

1-18-00

C. Signature

X

- ☐ Agent
- ☐ Addressee

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

If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2 827 630 388

PS Form 3811, July 1999

Domestic Return Receipt

102595-01-1799



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 6, 2000

NOTICE OF AMENDMENT OF WATER RIGHT

TO: John Pillote, HCR 1 Box 886, Michigamme, MI 49861 9600

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

SUBJECT: Amendment to Water Right No. 4475-3

Pursuant to the provisions of the notice dated January 14, 2000, and following the hearing March 1, 2000, the Water Management Board has amended Water Right No. 4475-3 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 failure to return the 1999 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

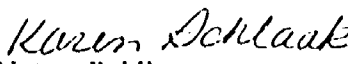
I hereby certify that on March 6, 2000, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 6, 2000, regarding Amendment to the following Water Rights/Permits, addressed as stated below:

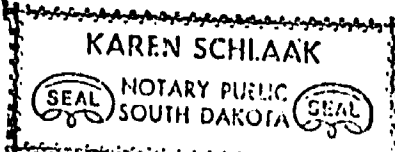
- W.R. #424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
- W.R. #968-2: Dwayne Newman, Box 429, Philip, SD 57567-0429.
- W.P. #'s 1362-2, 1363-2 & 1365-2: Oakley Eide, RR 2, Box 24, Burke, SD 57523.
- W.R. #'s 1645-3 & 1962-3: Alvin Gutormson, 2187 21st SE, Huron, SD 57350.
- W.R. #'s 1237-3 & 1395-3: Rolland Vander Pol, Box 32, Corsica, SD 57328.
- W.R. #'s 2040-3, 2246-3, 4248-3 & 4397-3: Ronald W. Marone, 21536 405th Ave., Cavour, SD 57324-7615.
- W.R. #2150-3: Ronald Foster, 46571 196th St., Estelline, SD 57234-5102.
- W.R. #'s 2595-3 & 4379-3: James B. Zell, 21795 408th Ave., Cavour, SD 57324.
- W.R. #3358-3: Allan Kramer, 2004 Arizona Ave. NW, Orange City, IA 51041.
- W.R. #4475-3: John Pillote, HCR 1, Box 886, Michigamme, MI 49861-9600.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of March, 2000


Karen Schlaak
Notary Public
KAREN SCHLAACK, Notary Public
My Commission Expires _____



NOT TO SCALE

T111N R78W

111-78

2.3

47+L

128 Ac. under C.P.

27

NE $\frac{1}{4}$ SW $\frac{1}{4}$
19 Ac.

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

18.0

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

38 Ac.

8 Ac.

210.6

111-78

C.P.

SE $\frac{1}{4}$ SW $\frac{1}{4}$
18 Ac.

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$
27 Ac.

NW $\frac{1}{4}$ NW $\frac{1}{4}$
32 Ac.

NE $\frac{1}{4}$ NW $\frac{1}{4}$
32 Ac.

8" PVC Pipe

Melvin Jensen

SW $\frac{1}{4}$ NW $\frac{1}{4}$
32 Ac.

SE $\frac{1}{4}$ NW $\frac{1}{4}$
32 Ac.

C.P.

8" Pipe

South Dakota
34

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