

7710 R
10170101

Water Right No. 45062

1. Considered May 22 19 80
2. Name of Applicant DALE & DAVE HELGERSON
3. Post Office Address MISSION HILL, S.D.
4. Amount of Water Claimed 3.31
5. Source of Water Supply 220' WELL
6. Water to be used for IRRIGATION
7. Acres to be irrigated 232 maximum acre feet
8. Water to be diverted and used in YANKTON County
about 2 N. 1 miles WEST of MISSION HILL
9. PROOF OF PUBLICATION Received (initials) 5-9-80

Not Received _____

APPLICATION

Approved 5-22-80

Subject to WI/IR JK

Not Approved _____

Action deferred _____

Priority

Date

Received 3-10-80 Application Complete (yes) no _____ FEE 275⁰⁰

Remarks _____

Date information and/or

fee or corrected Application received

Period o. Annual use March - November 1st.

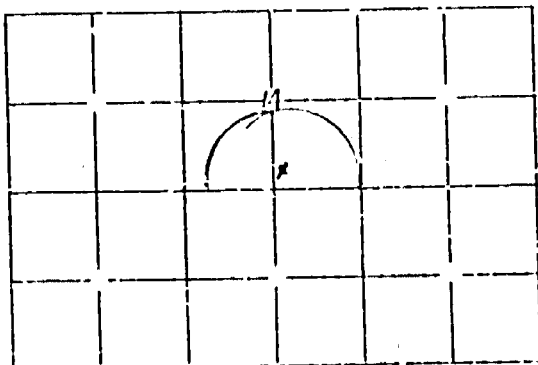
WATER
QUALITY

Received (yes) 4/16/80 no _____ APPROVED (CONDITIONAL) (Circle one)

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

Disapproved _____

Returned _____



Diversion Point _____

S 1/4 SE 1/4 14-94N-R55W

Lands to be irrigated _____

S 1/2 Section 14 - T 94N -
R 55W

WELL
LOC.

Remarks _____

Driller Wetmore Drilling Licensed yes _____ no _____

Depth 230 feet

MAP Map No. 5730-3 Map located in Water Right X Map file _____
 Type of Map Notice Prepared by J.C. Vann Diller

+++++

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 5-22-80.

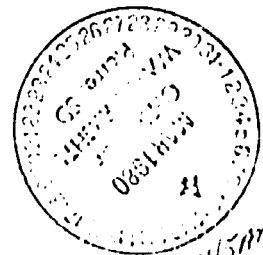
Betty W. Sauter
 (Signed)

+++++

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. 4506-3
 Map No. 3730-3 Water Division No. 3 MISSOURI RIVER District
 Above for Office Use 10170101

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 DALE AND DAVE HELGERSON Phone No. 665-5415
 Post Office Address MISSION HILL (Street, RR, or Box) (Town) State S.D. 57046 (Zip Code)
 If a corporation show date and place of incorporation NONE
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work DALE AND DAVE HELGERSON No. 1
4. Amount of water claimed (cubic feet per second) 3.31 (MAX. ALLOWABLE)
5. Source of water supply WELL
6. Location of point of diversion SW 1/4 of SW 1/4 of SE 1/4 14 94-55

County YANKTON

7. Annual period or periods during which water is to be used MARCH - NOV. 1
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 232

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.
<u>N 1/2 of SE 1/4 14-94-55</u>	<u>80</u>	<u>N 1/2 of SE 1/4 of SE 1/4 14 94-55</u>	<u>10</u>
<u>N 1/2 of SE 1/4 of SE 1/4 14-94-55</u>	<u>40</u>	<u>E 1/2 of SW 1/4 14 94-55</u>	<u>80</u>
<u>N 1/2 of NW 1/4 of SW 1/4 of SE 1/4 14-95-55</u>	<u>10</u>	<u>E 1/2 of SW 1/4 of SW 1/4 14 94-55</u>	<u>10</u>
		<u>SE 1/4 of NW 1/4 of SW 1/4 14 94-55</u>	<u>2</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water PRESS + OPINION - YANKTON
12. Principal Features of the Proposed Water Supply System

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

WELL

B. Works proposed to transport water to place of use

PIPE

C. Works proposed to apply water to beneficial use.

PIVOT - SPRINKLER SYSTEMEstimated Total Cost \$ 70,000

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

STATE OF SOUTH DAKOTA)
) ss.County of YANKTON)I, Dale Helgersen 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 constructionSigned Dale HelgersenSubscribed and sworn to before me this 6th day of March, 1980Esther Bapum

Notary Public (or other qualified official)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4506-3

DALE E. DAVE HELGERSON MISSION HILL
(Applicant) (Post Office Address)
SOUTH DAKOTA 57046 With the following qualifications.
(State)

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

Date of first receipt of application MARCH 10, 1980
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved MAY 22, 1980, Recorded in Book 21 Page 186

WATER RIGHT PERMIT NO. 4506-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4506-3 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 MARCH 10, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 1981
3. The whole of said work is to be completed on or before MAY 22, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 1983
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 3.31 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 MAY 22, 1983; said water to be used during the following described annual period MARCH -- NOVEMBER 1ST

Witness my hand this 30th day of MAY, 1980

THE BOARD OF WATER MANAGEMENT

By: John Hatch
C. Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

2-28-80

Test Hole

Palo & David Holgeron

0-1 top soil

1-104 clay

104-218 mud sand - gravel

218-220 rocks.

Watson Drilling
By James W. Watson

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to Form 2)

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

D. Well Information

- (1) Drill Hole, Diameter 20", Depth 220'
 (2) Casing, Type PLASTIC (wood, concrete, steel, etc.), Diameter 14", Thickness _____
 (3) Screen, Type PLASTIC, Diameter 14", Length 120'
 (4) Gravel Pack, Thickness 6", Length of gravel pack 120'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

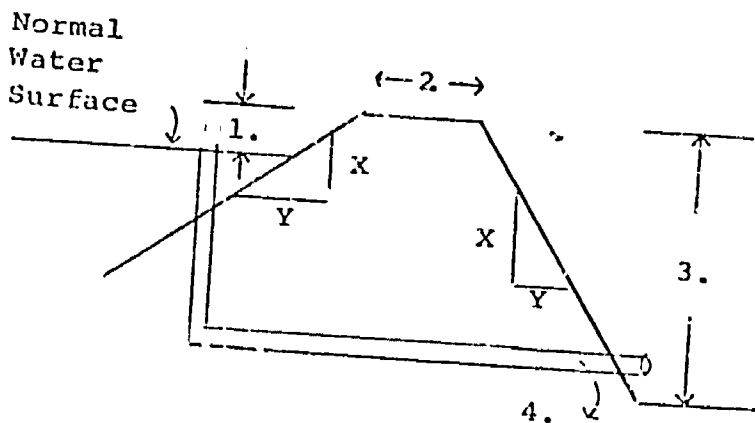
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 80 rds.

On property owned by others 120 rds.

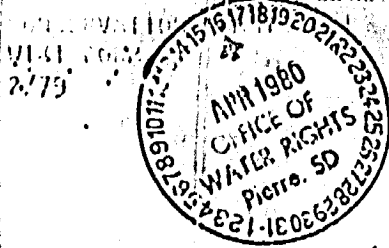
G. Water Storage Dams

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



1. Freeboard _____
 2. Crest width _____
 3. Height of Dam _____
 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
 X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

Mike Kelgerson
 Signature of Applicant



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

OWNERS NAME: DALE & DAVID HELGESON (OWNERS ADDRESS: MISSION HILL, S.D.
COUNTY LAND LOCATED IN: YANKTON PHONE: 665-5415 ZIP 57046
TENANT'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.)

1. WELL LOCATION OR DIVERSION POINT: SW 1/4 of SW 1/4 of SE 1/4 14 94-55
2. SURFACE WATER SOURCE _____
3. LOCATION OF AREA TO BE IRRIGATED: Center pivot (180' + swing) to irrigate approx 208 Ac.
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)
5. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____
6. CROPS TO BE IRRIGATED Corn - Alfalfa - soybeans
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LAND: _____
IN WHAT NAME: _____

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

8. SAMPLE NUMBER: SD-174
9. SALINITY (EC X 10⁶) 1209
10. SODIUM (SAR) 1.0 ADJUSTED (SAR) 1.7 (7) = 1.20

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 _____, 1980, at the following location: SW 1/4 of SW 1/4 of SE 1/4 14 94-55 by Dale Helgeson (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 has been acquired from YANKTON CO. SOIL 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
15th DAY OF February, 1980.

(NOTARY PUBLIC)

Dale Helgeson
APPLICANT'S SIGNATURE

Keith L. Harner
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

RECEIVED

MAR 28 1980

South Dakota
Division of Conservation

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.

2-322

21.9

13.2

25.6

23.5

26.1

118.2

chA

CeB

Ca

To Be Irrigated
By Lane P. Miller

5

2

2

76.9

5b

15.0

CeB

CeB

3

4

Will

RbB

5b

6.9

cut-off

TdA

77.6

134.9

47.5

2-222

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Dale and David Helgerson, Mission Hill, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

Sb - Salmie Silty Clay loam drainageway, unless uniformly sloped and kept in permanent vegetation.

Ca - Chancellor - Poor aeration in root zone and/or excess amount of sodium.

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 2-4 times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 2-3 inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on See below.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____.
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils.
COMMENTS: Applicable to most of your soils. Best accomplished in the fall under dry conditions.
6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application center pivot.

GENERAL COMMENTS:

Your rainbelt zone, in average years, should compensate for possible salinity increase in your heavier soils from irrigation water.

Getting your soil to take water, without excess runoff, will be one of your management goals. Your various soil complexes are small and closely intermingled. Your soils will require experimentation as to the deep tillage benefits.

Adequate field slope towards your drainageway will permit improved surface drainage of certain flat areas or depressions. Dirt moving by the cut-fill process may be economical.

Your local Soil Conservation Service can give you help, if needed.

Copy to applicant

Copy to Water Rights

Copy to _____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7371

March 10

80

RECEIVED OF Lyle Helgeson, Mission Hill SD 57046 PIERRE, _____, 19____
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>4506-3</u> (examination, processing, recording and filing)	275	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	275	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

XIV

No. 4506-3

Publish first publication, on or before May 2, 1980 April 26, 1980 B.

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57561

April 17, 1980

Notice is hereby given that Dale and Dave Helgersen whose post office address is Mission Hill, 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; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.31 cubic feet of water per second of time from groundwater (one well) through the Dale & Dave Helgersen No.1, the point(x) of diversion of which is UNK to be located in the SW 1/4 SE 1/4

of Section 14, Twp. 94N, Range 55W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

St. Section 14 - T84N - R55W

This Application No. 4506-3 will be considered by the Water Management Board at Civil Defense Meeting Room upon the 22nd day of May 1980 State Capitol Bldg., Pierre

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, DWMR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Dale and Dave Helgersen BETTY WESTLUND
Mission Hill, SD 57046 Water Rights Specialist

WNR-806A-7/79
GROUNDWATER

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 4506-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yankton) ss.

I, Larry Benson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Yankton Daily Press & Dakotan

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

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

April 29, 1980

May 6, 1980

Larry A. Benson
(Signature)

Business Manager
(Title)

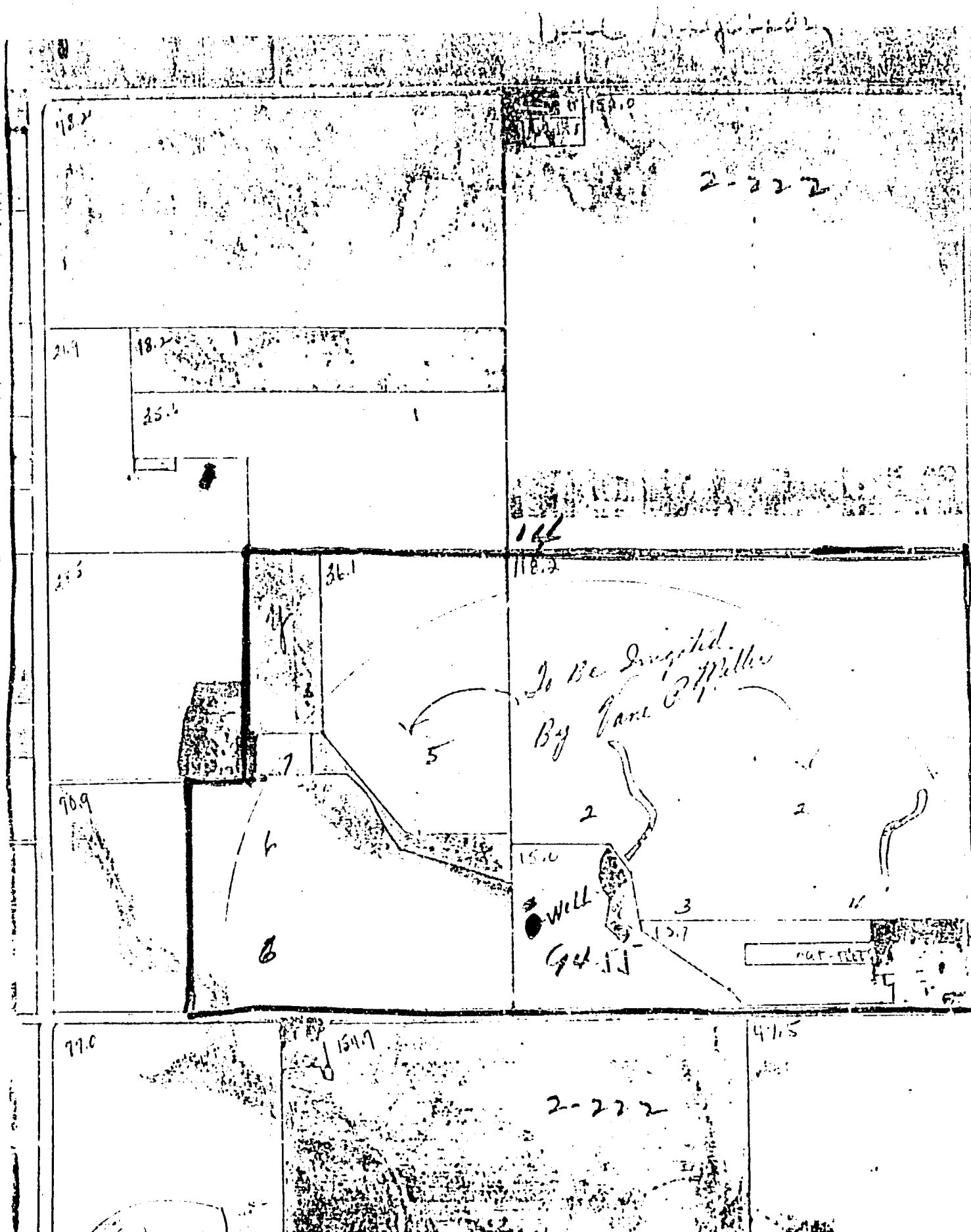
5-8-80

(Date Signed)

NOTICE OF HEARING ON APPLICATION
TO APPROPRIATE WATER

Notice is hereby given that Dave Helgeson whose post office address is Mission Hill, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-11, 46-2-1, 46-2-11, 46-3-1, 46-3-11, 46-3-13, 46-4-1, 46-4-11, 46-4-13, 46-5-1, 46-5-11, 46-5-13, 46-6-1, 46-6-11, 46-6-13, 46-7-1, 46-7-11, 46-7-13, 46-8-1, 46-8-11, 46-8-13, 46-9-1, 46-9-11, 46-9-13, 46-10-1, 46-10-11, 46-10-13, 46-11-1, 46-11-11, 46-11-13, 46-12-1, 46-12-11, 46-12-13, for a permit to appropriate for beneficial use 3.31 cubic feet of water per second of time from the Yankton water (one well) through the Dale and Dave Helgeson No. 1, the point of diversion of which is to be located in the SW 1/4 SE 1/4 of Section 11, Twp. 91N, Range 53W. Said water to be used for the purpose of providing irrigation for portions of the parcel of land described as: 21/4 Section 11, T91N, R53W, N46E. This Application No. 4506-3 will be considered by the Water Management Board at Civil Defense Meeting Room State Capitol Bldg. Pierre upon the 22nd day of May 1980 at 10:00 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons must 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 1-28 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 reviewed in the Courts as provided by law. Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRNR Joe Foss Bldg. Pierre, SD, prior to the hearing date for assistance to assure access to the hearing. WATER MANAGEMENT BOARD BETTY WESTLUND Water Rights Specialist





(Copy)

Map No. 3730-3 Appl 4506-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

4506-3

David Helgersen
30589 445th Ave.
Mission Hill, SD 57046

4a. Article Number

P 378 081 282

4b. Service Type

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

7. Date of Delivery

T

8-27-96

5. Received By: (Print Name)

Kathy Helgersen

6. Signature: (Addressee or Agent)

X *[Signature]*

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

Domestic Return Receipt

PS Form 3811, December 1984

Thank you for using Return Receipt Service.

4506-3



4506-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 26, 1996

SECOND NOTICE

Permit No 4506-3

David Helgersen
30589 445th Ave.
Mission Hill, SD 57046

Dear Mr Helgersen

On April 8, 1996, notice was sent to you concerning the transfer of Water Permit No. 4506-3 in the name of Dale and David Helgersen. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water permit can then be transferred to your name. If you are not the present owner of the land covered under this water permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
For John Hatch, Chief Engineer
Water Rights Program

enclosure

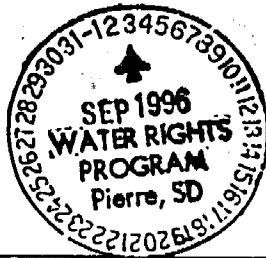
4506-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4506-3

Date: _____



I/We request that Water Permit No. 4506-3

formerly owned by: Dale and David Helgerson

transferred to: (name & address) David Helgerson, 30589 445th Ave., Mission Hill, SD 57046

Telephone No. (605) 665-8259

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

S½ Section 14, T94N, R55W

I/We understand that the validity of Water Permit No. 4506-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Yankton)

I/We David Helgerson 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.

David Helgerson
(Signed)

Subscribed and sworn to before me this 30 day of August, 19 96.

Conrad Hachtman
(Notary Public)

Expires 5-29-00

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 3, 1996

415075

RECEIVED OF Dave Helgerson, 30589 45th Ave., Mission Hills, SD 57046-0027

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

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

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

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

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Permit No. 4506-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Quinn Hatch
Chief Engineer

4506-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 4, 1996

No. 4506-3

David Helgersen
30589 445th Ave.
Mission Hill, SD 57046

Dear Mr. Helgersen:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4506-3.

Our records now show you as the owner of Water Permit No. 4506-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 1, 1995, made a thorough examination of the water use system constructed by Dale and Dave Helgerson of Mission Hill, SD 57046 holder of Permit No. 4506-3, bearing the priority of March 10, 1980 authorizing the diversion of 3.31 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from a 16" diameter well 210 feet deep located 2250' N77°W from the SE corner of Sec. 14, T94N-R55W (NE¼ SW¼ SW¼ SE¼ Sec. 14, T94N-R55W). The well uses a 12 inch diameter, 2 stage, Fairbanks Morse Pump, powered by a 100 HP General Electric Motor

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

Water is transported from the well to a pivot point located in the NE¼ SW¼ SW¼ SE¼ Sec. 14, T94N-R55W through 20' of 8" diameter aluminum pipe.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through a 14 tower Lindsey Zimmatic, high pressure center pivot system. The system is 2165 feet long and uses a Nelson 100 end gun.

The system is in the following condition good. The point of diversion is located 2250' N77°W from the SE corner of Sec. 14, T94N-R55W, (NE¼ SW¼ SW¼ SE¼ Sec. 14, T94N-R55W). The works are capable of diverting and conveying to the place of use 2.45 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>NW¼ SW¼ Sec. 14, T94N-R55W</u>	<u>3 acres</u>
<u>NE¼ SW¼ Sec. 14, T94N-R55W</u>	<u>34 acres</u>
<u>SW¼ SW¼ Sec. 14, T94N-R55W</u>	<u>14 acres</u>
<u>SE¼ SW¼ Sec. 14, T94N-R55W</u>	<u>34 acres</u>
<u>NW¼ SE¼ Sec. 14, T94N-R55W</u>	<u>40 acres</u>
<u>NE¼ SE¼ Sec. 14, T94N-R55W</u>	<u>27 acres</u>
<u>SW¼ SE¼ Sec. 14, T94N-R55W</u>	<u>26 acres</u>
<u>SE¼ SE¼ Sec. 14, T94N-R55W</u>	<u>25 acres</u>

comprising a total of 203 acres of land and the license should be issued for 2.45 cfs.
 Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: NA

Ken Buhler
 Ken Buhler
 Natural Resources Engineer
 DENR, Water Rights Program

3/5/96
 Date

REPORT ON INSPECTION OF PERMIT NO. 4506-3

DATE OF INSPECTION: August 1, 1995

Other permit(s) associated with the project: na

DIVERSION POINT LEGAL LOCATION: 2250' N77°W from the SE corner of Sec. 14, T94N-R55W
(NE¼ SW¼ SW¼ SE¼ Sec. 14, T94N-R55W)

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells one
- 3) Depth(s) 210 feet
- 4) Well log is available: no (called Wetmore Drilling for log 3/5/96)

Casing:

- 1) Diameter 16 inches
- 2) Length 110 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 100 feet
- 3) Static water level 90 feet

Pump:

- 1) Make Fairbanks Morse
- 2) Model Figure 7000
- 3) Size 12M inch, 4 stage
- 4) Serial No. N3E2812917X
- 5) Capacity 1100 GPM

Motor:

- 1) Make General Electric
- 2) Model No. 5K6257XM5000
- 3) Serial No. CWJ302285
- 3) Horsepower rating 100 h.p.

DISTRIBUTION LINES OR CANALS:

- 1) Type aluminum 2) Size 8 inches 3) Length 20 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Lindsey Zimmatic (Serial No. L12574)
- 2) Overall length 2165 feet
- 3) Number of towers 14 (11 Model No. 507, 3 Model No. 410)
- 4) End gun Nelson 100
- 5) High or low pressure High (78psi)
- 6) Capacity 1100 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 8, 1996

4506-3

David Helgersen
30589 445th Ave
Mission Hill, SD 57046

Dear Mr. Helgersen:

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in changing the name on Water Permit No. 4506-3. It is my understanding that you wish to have the water permit listed solely under your name rather than under Dale and David.

Please review the form and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a \$2.50 filing fee.

The water use system was inspected for licensing purposes last summer. The investigation found a total of 203 acres being irrigated in the S½ of Section 14, T94N, R55W. The water license, which is the final step in the water permit process, is now ready to be issued. Statutes require that we charge a \$50.00 fee for the field investigation and issuance of the water license.

Please remit a total of \$52.50 to the Water Rights Program, Department of Environment and Natural Resources, 523 E Capitol, Pierre, SD 57501-3181. If you have any questions concerning the field investigation and licensing process or filing of the ownership change, please contact me.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 15, 1998

4506-3

David Helgersen
30589 445th Ave
Mission Hill, SD 57046-6027

Dear Mr. Helgersen:

I am contacting you in regard to the licensing requirements for your Water Permit No. 4506-3. An investigation of the water use system was conducted in August, 1995. In 1996, we contacted you concerning the transfer of the water permit to your name and also requested payment of a \$50.00 fee for the investigation and issuance of the water license.

In reviewing your file, it appears that the transfer was completed, however we did not follow up with you to complete the licensing process. As I indicated above, the investigation was completed in 1995 and the license is ready to be issued. Statutes require that we assess a \$50.00 fee for the investigation and issuance of the water license.

The \$50.00 fee is a one time fee and completes your process of obtaining a water right. Please remit the fee by July 31, 1998. The check or money order should be made out to the "Water Rights Program" and directed to our office at 523 E Capitol, Pierre, SD 57501.

I apologize for the delay in contacting you concerning this matter. If you have any questions concerning the permit or the licensing process, please contact me.

Sincerely,

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 415810

Pierre, June 25, 1998

RECEIVED OF Dave Helgerson, 30589 445th Ave., Mission Hill, SD 57046-6027
the following amount in fees for services rendered as provided for by law:

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

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

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

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 4506-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

50 00

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

J. H. Hatcher (C)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 4 1998

4506-3

David Helgersen
30589 445th Ave.
Mission Hill, SD 57046-6027

Dear Mr. Helgersen:

Enclosed is Water License No. 4506-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415810 in the amount of \$58.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4506-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4506-3

(1) Dale & Dave Helgerson made Application No. 4506-3, March 10, 1980 for a water permit to divert 3.31 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 4506-3, with a priority date of March 10, 1980 was approved May 22, 1980 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before May 22, 1983 and for the application to beneficial use of said water on or before May 22, 1983.

On September 3, 1996, Water Permit No. 4506-3 was transferred to David Helgerson.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.45 cubic feet of water per second for beneficial use. The location of the diversion point is 2,250' N70°W from the SE corner of Section 14, T94N, R55W (SW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate a total of 203.0 acres located as follows:

Section 14, T94N, R55W			
NW ¼ SW ¼	3.0 acres	NW ¼ SE ¼	40.0 acres
NE ¼ SW ¼	34.0 acres	NE ¼ SE ¼	27.0 acres
SW ¼ SW ¼	14.0 acres	SW ¼ SE ¼	26.0 acres
SE ¼ SW ¼	34.0 acres	SE ¼ SE ¼	25.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 David Helgerson, 30589 445th Ave, Mission Hill, SD 57046-6027 the holder and/or owner of Water Permit No. 4506-3 is issued a license to appropriate water, the right to use 2.45 cubic feet of water per second from ground water (one well) with a priority date of March 10, 1980 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4506-3 and subject to South Dakota State Law.

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 4 1998
date



WETMORE DRILLING

Mike Wetmore
Geologist

Office: 1 800-399-7713
(605) 356-3757

P. O. Box 680
Elk Point, SD 57025

Cellular: (712) 251-7599

Shop: (605) 356-2210
I-29 Exit 15
Elk Point, SD 57025

4A
~~UNFILEABLE~~

No Info



Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-9935

Re: Dale Halvorson completion report

Gentlemen:

Per your telephone request, we have searched our files for well completion information for the above named well owner. Unfortunately, we have been unable to discover any completion information in our records.

We realize the value of complete and accurate well information. In that regard, if your office should uncover any information regarding this well, we would appreciate a copy of that information so that we can update our own files.

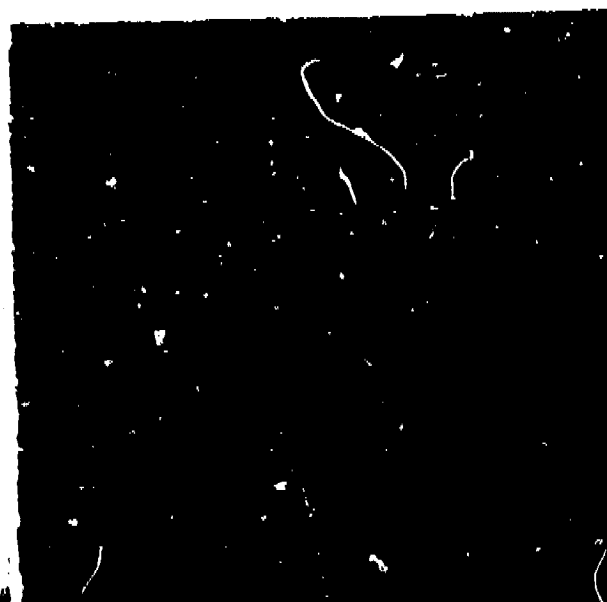
If you have any questions, please feel free to give us a call. Thank you.

Sincerely,

WETMORE DRILLING

A handwritten signature in dark ink, appearing to read "Mike Wetmore".

Mike Wetmore





4506-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 14, 2000

4506-3

4855-3

Karl M Schenk
44352 308th St
Mission Hill, SD 57046

Dear Mr. Schenk:

Enclosed, as you requested, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with Water Right Nos. 4506-3 and 4855-3. No. 4506-3 is currently listed in the name of David Helgersen and No. 4855-3 is listed in the name of Craig Johnson.

Please review the transfer forms and complete as needed. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the filing fees can be made payable to the Water Rights Program.

I am including a copy of each of the water rights for your records. If you have any questions concerning the water rights or with completion of the transfer forms, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4506-3

Date: 3-27-00

I/We request that Water Right No. 4506-3

formerly owned by: David Helgersen

be transferred to: (name & address) Karl Schenk

44352 308th ST Mission Hill Telephone No. 605-665-6112
SD 57045

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

203 acres in the S 1/2 Section 14, T94N, R55W

I/We understand that the validity of Water Right No. 4506-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Yankton)

I/We Karl Schenk 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.

Karl Schenk
(Signed)

Subscribed and sworn to before me this 28th day of March, 2000.

Betsy Peteran
(Notary Public)

My Comm Exp: 5-18-04

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 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.



May 5, 2000

4506-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4506-3
4855-3

Karl M Schenk
44352 308th St
Mission Hill, SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms you submitted for filing an ownership change with Water Right Nos. 4506-3 and 4855-3.

The forms were completed properly, however can not be recorded without the filing fee for each one. My first letter may not have been clear with respect to payment of the filing fees. Please remit a total of \$5.00 (\$2.50 each). The check or money order can be made payable to the "Water Rights Program".

Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

MC 416510

Pierre, May 10, 2000

RECEIVED OF Karl M. Schenk, 44352 308th st., Mission Hill, SD 57046
the following amount in fees for services rendered as provided for by law:

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

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

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

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Right No. 4506-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

W. C. and E. L. (CP)
Chief Engineer



May 10, 2000

4506-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4506-3
4855-3

Karl M Schenk
44352 308th St
Mission Hill, SD 57046

Dear Mr. Schenk:

Thank you for following up on the ownership changes for Water Right Nos. 4506-3 and 4855-3. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 416510 and 416511 in the amount of \$2.50 each, which you paid for filing the ownership changes.

If you have any questions concerning the water rights, please contact me.

Sincerely,

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

enclosures

4506-3



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: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 521-3, 4855-3 & 6233-3, 4506-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 521-3, 4855-3 & 6233-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 521-3, 4855-3 & 6233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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



4506-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2004

521-3
4506-3
4855-3
6233-3

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 521-3, 4506-3, 4855-3 and 6233-3.

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.

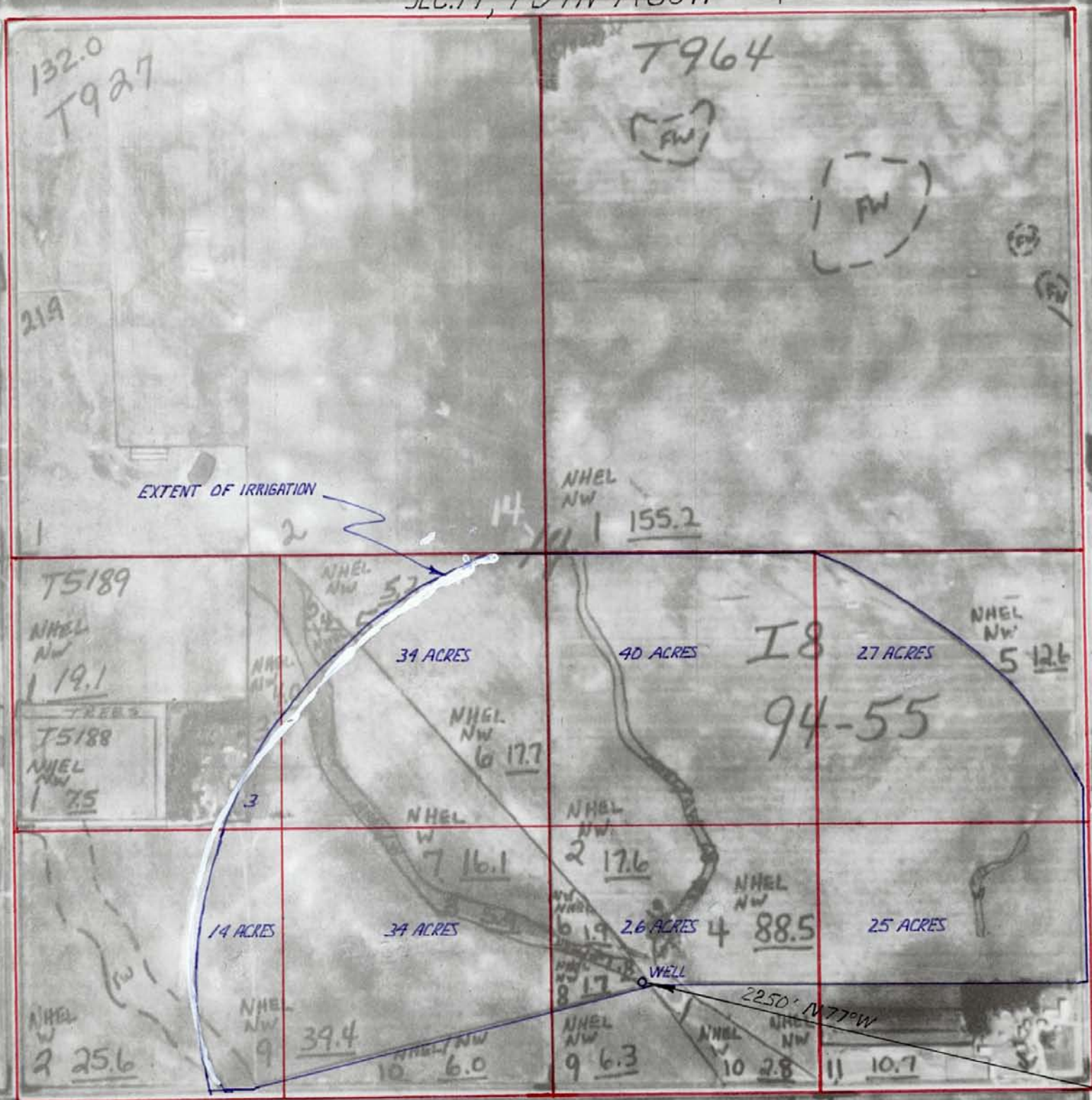
Sincerely,

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

4506-3

NOT TO SCALE 1995

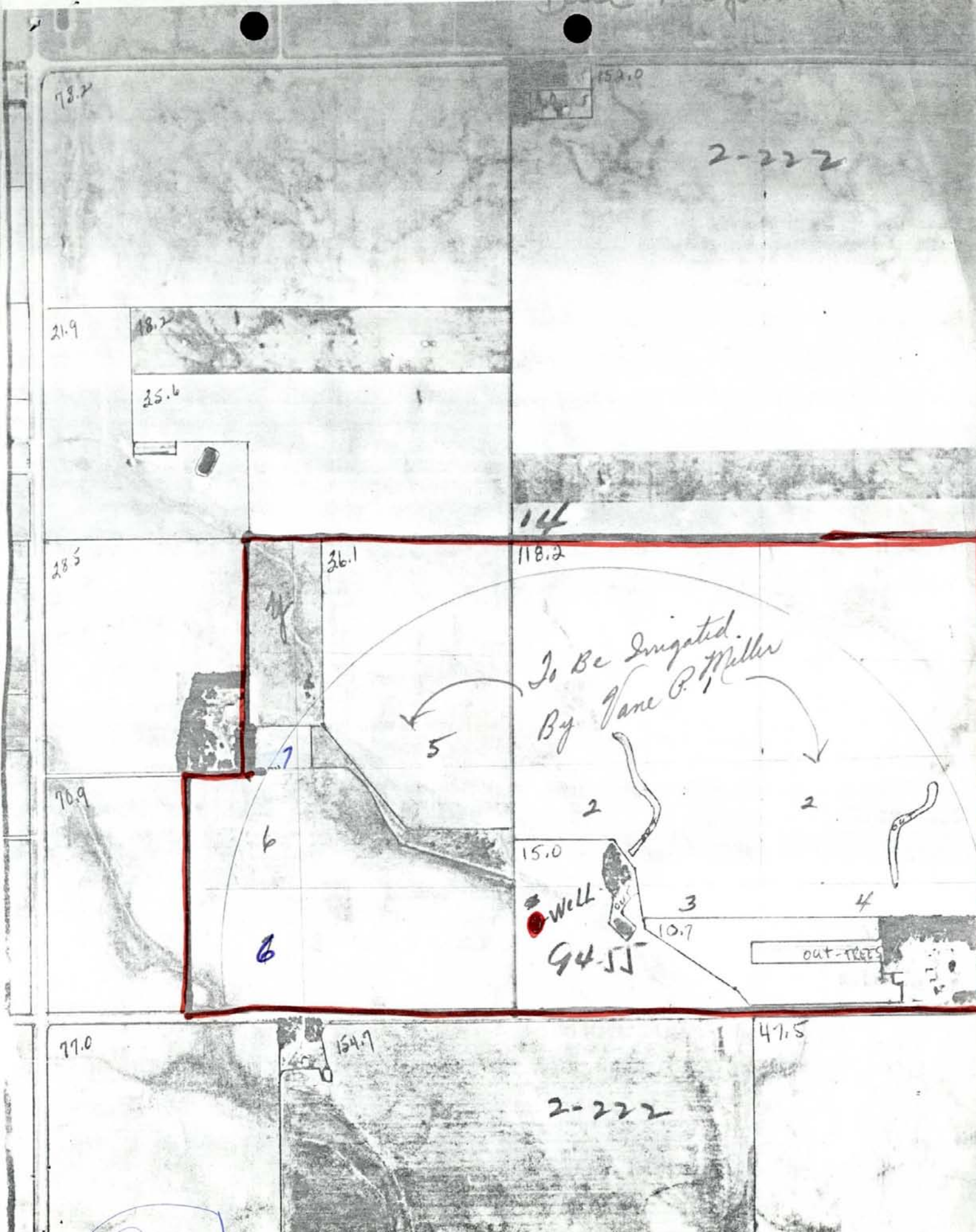
SEC. 14, T94N-R55W



Ken Buhler
KEN BUHLER
NATURAL RESOURCES ENGINEER
DENR - WATER RIGHTS PROGRAM

4506-3

Dale Helgeson



Copy

Map No. 3730-3 Appl 4506-3

47.5



4506-3

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 24, 2006

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 521-3, 4855-3 & 6233-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 521-3, 4855-3 & 6233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

January 31, 2006

521-3
4506-3
4855-3
6233-3

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 521-3, 4506-3, 4855-3 and 6233-3.

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 AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

4506-3, 4855-3, 6838-3, 6839-3
6917-3, 6918-3, 7017-3, 7667-3
7668-3, 7670-3, 7819-3, 7842-3
7939-3, 7955-3, 8192-3 & 8816-3

Karl Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

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). 4506-3, 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3. 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. However, the 2024 reporting has not been completed for 8192-3, held by Stop Lock Drop Inc.

Please contact our office to report 2024 irrigation water use for Water Right No. 8192-3, prior to March 5, 2025.

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