

Big Sioux
10170203

Water Right No. 4558-3

1. Considered NOVEMBER 19 1980
2. Name of Applicant MIKE, LORI & BRAD CHICOINE
3. Post Office Address RR 1 - Box 410, JEFFERSON, SD.
4. Amount of Water Claimed 1.7
5. Source of Water Supply 100' DEEP WELL
6. Water to be used for IRR.
7. Acres to be irrigated 120 maximum acre feet
8. Water to be diverted and used in UNION County
about 80 NORTH OF ~~the~~ CITY LIMITS of JEFFERSON
9. PROOF OF PUBLICATION Received 10-29-80

Not Received _____

APPLICATION

Approved 11-19-80

Subject to WT-TQ

Not Approved _____

Action deferred _____

Priority

Date

Received 9/17/80

Application Complete yes

no

FEE 225⁰⁰

9-17-80

Remarks _____

Date information and/or

fee or corrected Application received Sept 23, 1980 - fee

Period of Annual use APRIL THRU OCT.

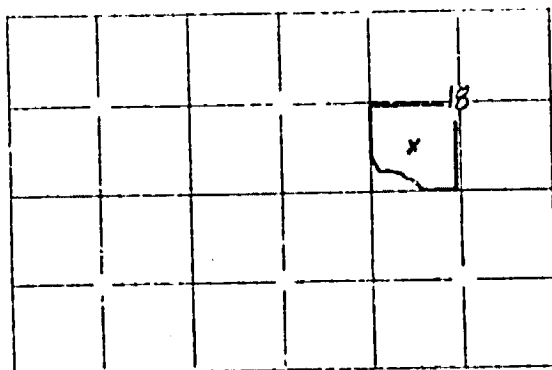
WATER
QUALITY

Received yes 9/18/80 no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no _____ Remarks EXCEPT A
SMALL PORTION OLAND IN SW 1/4, 18-70-48 NOTIFIED SEC 9/23/80
TO NOTE ON THEIR FILE (provided by D. J. G. 9/24/80 only Review)

Disapproved _____

Returned _____



Diversion Point IN THE

APPROXIMATE CENTER

SW 1/4, SEC. 18-T90N-R48W

Lands to be irrigated _____

SW 1/4, SEC. 18-T90N-R48W

WELL
LOG

Remarks _____

Driller WETMORE DRILLING Co.

Licensed yes

no

Depth 100' DEEP

MAP

Map No. 3778-3 Map located in Water Right X Map file _____Type of Map AERIAL Prepared by Co AGENT- DE Smet

+++++

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 Nov. 19, 1980[Signature]
(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. 4558-3Map No. 3778-3 Water Division No. 3 BIG SIOUX District
(Blanks to be Filled by the Engineer for the W. R. C.)10170203

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Mike, Lori and Brad Chicoine
 Postoffice address RR 1 Box 410, Jefferson, State South Dakota 57038
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work M.L.B. Chicoine #1
4. Amount of water claimed (cubic feet per second) 1.7 CFS
5. Source of water supply well
6. Location of point of diversion center SW $\frac{1}{4}$ sec 18 T90N R48W
- County Union
7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (Irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 120

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.
SW $\frac{1}{4}$ sec 18 90-49 $\frac{1}{2}$	120		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 64 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Elk Point Leader Courier
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.

sprinklersEstimated Total Cost \$ 40,000.00Attachments. Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Union) ss.I, Harold J. Chicoine 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 Harold J. ChicoineSubscribed and sworn to before me this 15th day of Sept 1980Ray H. X. X
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4558-3
MIKE, LORI & BRAD CHICOINE RR 1, Box 410, JEFFERSON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57038 With the following modifications:
 (State)

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application September 17, 19 80
 Date of return to applicant for correction, amendments or changes required September 17, 19 80
 Date of receipt of corrected application September 23, 19 80
 Approved November 19, 19 80, Recorded in Book 21 Page 306
 WATER RIGHT PERMIT NO. 4558-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4558-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 17, 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 19, 19 83
3. The whole of said work is to be completed on or before November 19, 19 85
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is November 19, 19 89
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 1.7 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before November 1st, 19 89; said water to be used during the following described annual period: April thru October

Witness my hand this 5th day of December, 19 80

WATER RIGHTS COMMISSION

By: John Hatch
 Chief Engineer, Executive Officer
 JOHN HATCH

Certificate of Construction Issued _____, 19 ____
 Water License Issued _____, 19 ____

NOT TO SCALE



prepared by
L E DeMet ^{Union} County
9/9/80
for irrigation

P.O. Box 577
Elk Point, South Dakota 57025
Phone (605) 356-3272

Address

Date _____

12, 1950

[illegible]

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 100'
- (2) Casing, Type Transite Diameter 18" Thickness 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Sawed Slotted, Diameter 18", Length 24'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 30'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing material: see attached well log

Depth to top of water bearing material 18'

Depth to bottom of water bearing material 100'

Thickness of water bearing material 80'

Depth to water (ground surface to water level) 18'

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

On same owner's property 160 rds. On property owned by others 160 rds.

G. Water Storage Dams.

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

Robert A. Johnson
Signature of Applicant

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: MING, Lorraine

OWNERS ADDRESS: 1111 1st St

COUNTY LAND LOCATED IN: Lincoln

PHONE: 766-1111

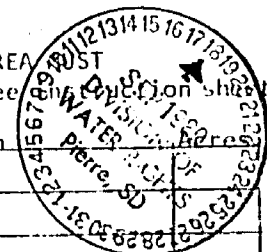
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: Well 1111-1111-1111
2. SURFACE WATER SOURCE: Well
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description
<u>SW 1/4 Sec 1 T8S - R9E - S4E</u>	<u>40</u>	
<u>NE 1/4 SW 1/4 T8S - R9E - S4E</u>	<u>10</u>	
<u>SE 1/4 SW 1/4 T8S - R9E - S4E</u>	<u>40</u>	



4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: Corn, Soybeans, Alfalfa, Small Grains
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

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

7. WATER SAMPLE NUMBER: 80-648
8. SALINITY (EC X 10⁶): 1082
9. SODIUM (SAR): 1.25
10. ADJUSTED (SAR): 3.50

9-23-80 (8 acres)
Portions of SW¹SW¹ are also
involved - notified SCC.
this date. Sample was O.K.
Betty Wottlund

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 instruction sheet) were followed, and that the sample was taken at 1:00 a.m./p.m., on 9-23-80, at the following location: Well 1111-1111-1111 by Betty Wottlund (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 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

14 DAY OF August, 1980.

(NOTARY PUBLIC)

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 PERMIT must be obtained from the Board of Water Management.

APPLICANT'S SIGNATURE

Keith F. Warner
Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

12/78

d

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Mike, Lori, and Brad Chicofne

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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 3-5 inches of water, or the greatest amount possible per irrigation.
3. ☒ Yes () No Surface drainage ~~XXXXXXXXXX~~ very flat topography.
4. () Yes () No Subsurface drainage suggested on _____.
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS:

6. ☒ Heavy fall application of irrigation water. - will do most good if done to coincide with deep tillage operations.
7. Type of irrigation system recommended for use on this application _____.

GENERAL COMMENTS:

If you have problems of spring wetness or slight ponding of water in certain areas, a leveling operation to a uniform grade would partially eliminate the problems.

Copy to applicant
Copy to Water Rights

Publish first publication, on or before October 23, 1980NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 7, 1980

Notice is hereby given that Mike, Lori & Brad Chicoine whose post office address is Jefferson, 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 1.7 cubic feet of water per second of time from groundwater (one well) through the H.L.B. Chicoine #1, the point (x) of diversion of which is (are) to be located in the approximate center of SW
XXXXX

of Section 10, Twp. 90N, Range 48E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW1/4, Section 18, T90N, R48E

This Application No. 455E-3 will be considered by the Water Management Board at Dakota State College Karl Mundt Library, Madison SD upon the 10th day of November, 1980 at 10A. 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, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Mike, Lori & Brad Chicoine
P.O. 1, Box 410
Jefferson SD 57038

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7704

PIERRE, September 23, 1980

RECEIVED OF Mike, Lori & Brad Chicoine, RR 1, Box 410, Jefferson, SD 57038

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

Fee for Application for Permit to Appropriate Water No. 8550-2 (examination, processing, recording and filing)	225	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	225	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / (b)



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

HIKE, LORI & ERAD CHICOINE
RR #1 BOX 410
JEFFERSON SD 57038

NOTICE

RE: Violation of Water Permit Nos 1096-3, 4558-3 and 1991 Irrigation Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 1096-3, 4558-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1096-3 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) 4558-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



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

February 13, 1992

1096-3
1208A-3
4558-3

Michael, Brad & Lori Chicoine
RR #1 Box 460
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 1096-3, 1208A-3 and 4558-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1993

NOTICE

TO: MIKE, LORI & BRAD CHICOINE
RR #1 BOX 410
JEFFERSON SD 57038

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

RE: Violation of Water Permit No(s) 4558-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 4558-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 4558-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

4558-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1993

4558-3

Mike, Lori & Brad Chicoine
RR #1 Box 410
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire. You may disregard the January 29, 1993, Notice of Violation of Water Permit No. 4558-3.

The questionnaire was received in our office prior to the Water Management Board Meeting and your names have been deleted from the agenda. If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



February 16, 1994

MIKE, LORI & BRAD CHICOINE
RR #1 BOX 460
JEFFERSON SD 57038

4558-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 1096-3, 4558-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1096-3, 4558-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1096-3 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) 4558-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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: **4558-3**

**MIKE, LORI & BRAD CHICOINE
RR #1 BOX 460
JEFFERSON SD 57038**

4a. Article Number
P837 692 577

- 4b. Service Type
- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery
2-17-94

5. Signature (Addressee)

Mike Chicoine

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



4558-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1994

1096-3
1208A-3
1208B-3
4558-3

Adrian, Michael,
Brad & Lori Chicoine
RR #1 Box 460
Jefferson, SD 57038

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires. You may disregard the February 16, 1994, Notice of Violation of Water Permits and Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaires.

The questionnaires were received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4558-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

MIKE, LORI & BRAD CHICOINE
RR #1 BOX 460
JEFFERSON SD 57038

NOTICE

RE: Violation of Water Permit No 4558-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 4558-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 4558-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

4558-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 1995

1096-3
1208A-3
1208B-3
4558-3

Mike, Lori, Brad & Adrian Chicoine
RR #1 Box 1255
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, **Notices of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire and Violation of Water Permit.**

The questionnaires were received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 10, 1999

1096-3

1200-3

1208B-3

4558-3

Brad Chicoine
32849 483rd Ave
Jefferson, SD 57038

Dear Mr. Chicoine:

I am contacting you in regard to ownership of land described in Water Right Nos. 1096-3, 1200-3, 1208B-3 and Water Permit No. 4558-3. Last fall when submitting your irrigation questionnaires, you made notations on the forms to change our ownership records.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the changes. I completed the forms based on the information in the water right files and the information you included with your irrigation questionnaires. Please review the forms and make any necessary corrections or additions.

Once you have completed the forms, please sign them in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$10.00). As soon as we receive the signed forms and the filing fees, we will transfer the water rights accordingly.

Thank you in advance for your help. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4558-3

Date: 11-9-99



We request that Water Permit No. 4558-3

formerly owned by: Mike, Lori and Brad Chicoine

formerly owned by: MIKE, LORRAINE
 be transferred to: (name & address) Mike & Brad Chicoine, 32849 483rd Ave, Jefferson, SD 57038

Telephone No. (605) 966-5342

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

120 acres in the SW ¼ Section 18, T90N, R48W

I/We understand that the validity of Water Permit No. 4558-3 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 Union

County of Union
 I/We Milo Cheoin
Brad Chicor 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.
Milo Cheoin

Mik Chocoin
Bao Chocoin
(Signed)

Subscribed and sworn to before me this 23rd day of November, 1999

James R. McQuinn
(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 right. A water right may be lost for three reasons:

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416280

Pierre, November 30, 19 99

RECEIVED OF Mike & Brad Chicoine, 32849 483rd Ave., Jefferson, SD 57038
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. ...		
Fee for Filing Transfer Form <u>Water Permit No. 4558-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch (CD)



4558-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 6, 1999

1096-3
1208B-3
4558-3

Mike & Brad Chicoine
32849 483rd Ave
Jefferson, SD 57038

Dear Sirs:

Thank you for returning the 1999 irrigation questionnaires and the "Notice of Transfer of Ownership" forms and filing fees.

The transfers have been completed and Water Right Nos. 1096-3 & 1208B-3 and Water Permit No. 4558-3 are now listed in your names. I am enclosing your receipts and also a copy of each of the transfer forms you filed. You may keep these for your records.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

Permit No. 4558-3
Big Sioux River - Water District

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, **June 19, 2002**, made a thorough examination of the water use system owned by **Mike and Brad Chicoine** of **32849 483rd Avenue, Jefferson SD 57038** holder of Permit No. **4558-3**, bearing the priority of **September 17, 1980** authorizing the diversion of **1.70** cu. ft. per second of the waters of **ground water** for **irrigation** purposes, in **Union** County.

Inspection contact & relationship to permit holder, if applicable: **Mike Chicoine**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Wetmore drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **120** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **16** inches
- 2) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Static water level **17** feet

Pump:

- 1) Make **Western Land Roller**

Motor:

- 1) Make **General Electric**
- 2) Model No. **DTJ415339**
- 3) Horsepower rating **60** hp

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **T&L**
- 2) Number of towers **7**
- 3) End gun **Y**
- 4) High pressure **50 -60 psi**
- 5) Capacity **800** GPM

Chemigation Equipment:

- 1) Does chemigate **N**

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **Y**
- 3) Exceptions to compliance are: **none**

Report of Examination of Works

Permit No. 4558-3

The system is in good condition with the point of diversion located as follows: well: center of SW¼ section 18-T90N-R48W – Latitude 42.60857, Longitude -96.56159. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: all in section 18-T90N-R48W

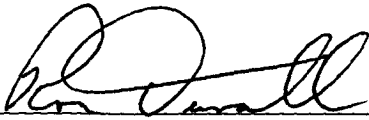
NE¼SW¼ 35 acres

NW¼SW¼ 34 acres

SE¼SW¼ 26 acres

comprising a total of 95 acres of land and the license should be issued for 1.35 cfs.

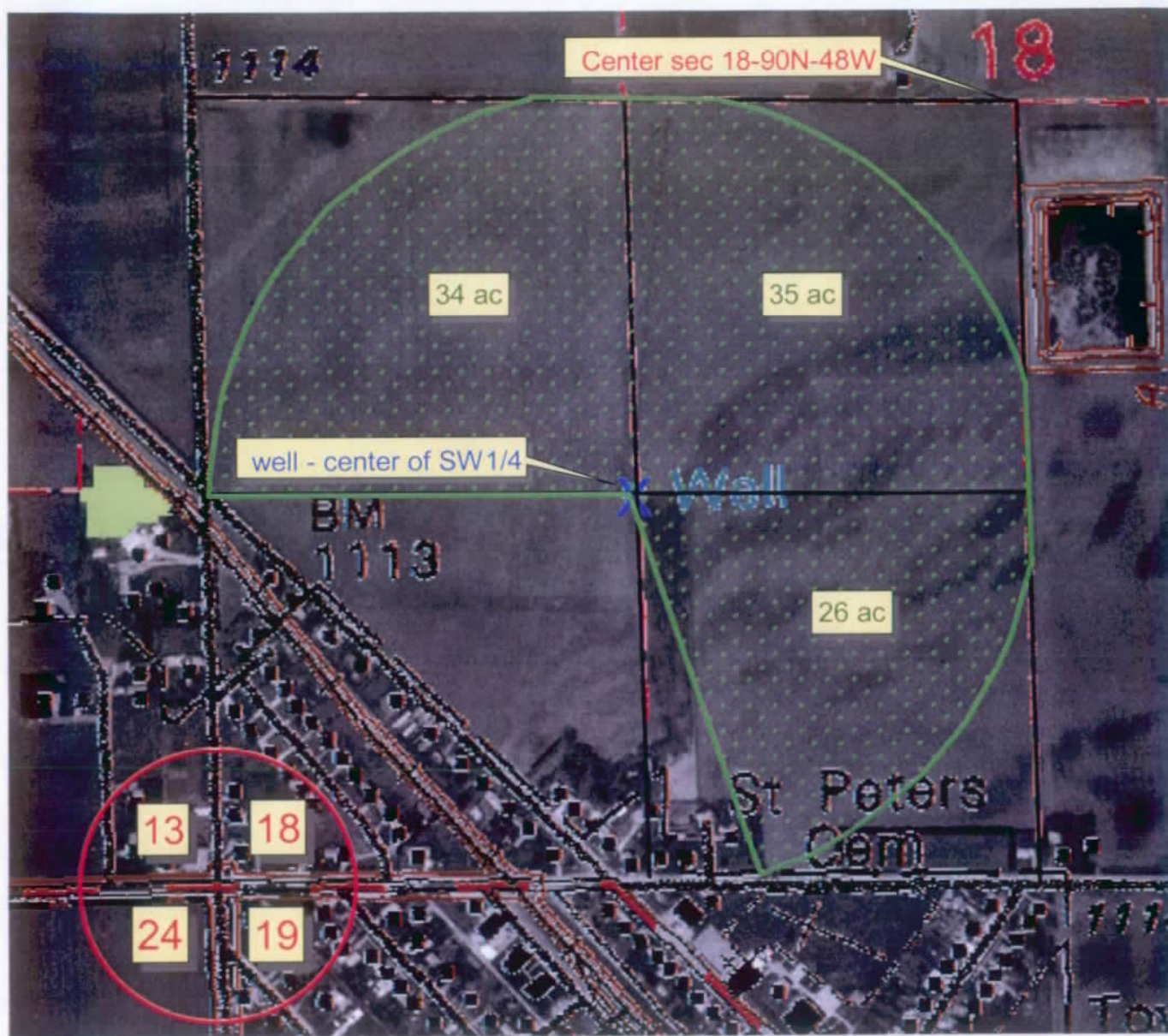
All structures, wells and lands on map Y | Comments or other permit(s) associated with the project: **none**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: January 30, 2003

900 0 900 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
January 30, 2003

No. 4558-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2003

4558-3

Mike & Brad Chicoine
32849 483rd Ave
Jefferson SD 57038

Dear Sirs:

On June 19, 2002 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4558-3, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 2003

REMINDER NOTICE

4558-3

Mike & Brad Chicoine
32849 483rd Ave
Jefferson SD 57038

Dear Sirs:

On January 31, 2003, we advised you that a \$50.00 fee was due for the completed investigation of your Water Permit No. 4558-3. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water permit.

To date, we have not received the fee and therefore can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352. The check or money order for the fee should be made payable to the "Water Rights Program".

Sincerely,


Garland Erbele, Chief Engineer
Water Rights Program

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date APRIL 7, 20 03

RECEIVED OF Brad Chicoine, 508 East Clay, Elk Point SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4558-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50.00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

000714

By

Darland Ebel
Chief Engineer *gml*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 17 2003

4558-3

Mike & Brad Chicoine
32849 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

Enclosed is Water License No. 4558-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000714 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4558-3

(1) Mike, Brad & Lori Chicoine, Jefferson SD made Application No. 4558-3, September 17, 1980 for a water permit to divert 1.7 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 4558-3, with a priority date of September 17, 1980 was approved November 1, 1980 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before November 19, 1985 and for the application to beneficial use of water on or before November 19, 1989.

On November 30, 1999, Water Permit No. 4558-3 was transferred to Mike & Brad Chicoine, 32849 483rd Ave, Jefferson SD 57038.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holders and/or owners of Water Right No. 4558-3 are issued a license, bearing a priority date of September 17, 1980 to appropriate 1.35 cubic feet of water per second from groundwater (one well) to irrigate 95 acres.

The diversion point is located: center of the SW ¼ Section 18-T90N-R48W. The acres authorized for irrigation are as follows:

Section 18-T90N-R48W	NE ¼ SW ¼	35 acres
	NW ¼ SW ¼	34 acres
	SE ¼ SW ¼	26 acres
Total 95 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 4558-3 including the following now applicable qualifications:

- The 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 17 2003

date





4558-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: MIKE & BRAD CHICOINE, 32849 483RD AVE, JEFFERSON, SD 57038
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-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) 4558-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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.



4558-3

Track & Confirm

Current Status

You entered 2301 0370 0000 7541 4777

Your item was delivered at 9:20 am on January 21, 2005 in JEFFERSON, SD 57038. The item was signed for by M CHICOINE.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4777

MIKE & BRAD CHICOINE
32849 483RD AVE
JEFFERSON SD 57038

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

☐

Priority Mail

☐

Package Services

(See Reverse)

PS Form 153, February 2001



4558-3

**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, 2005

Brad & Mike Chicoine
306 E Lincoln St
Elk Point SD 57025

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Sirs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 26, 2007

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: MIKE & BRAD CHICOINE, 306 E LINCOLN ST, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 1096-3, 1200-3, 1208A-3 & 1208B-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) 4558-3 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 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

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

February 2, 2007

Mike & Brad Chicoine
306 E Lincoln St
Elk Point SD 57025

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your "2006" irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2007

Mike or Brad Chicoine
1702 Country Club Dr
Elk Point SD 57025-2324

RE: Water Right or Permit Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Sirs:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 306 E Lincoln St., Elk Point SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 28, 2015

Mike & Brad Chicoine
1705 Arnold Palmer Ln
Elk Point SD 57025-2313

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Sirs:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaires.

The notice was originally mailed to 1702 Country Club Dr., Elk Point SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: MIKE & BRAD CHICOINE, 1705 ARNOLD PALMER, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 1096-3, 1200-3, 1208A-3 & 1208B-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) 4558-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



4558-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 31, 2017

Mike & Brad Chicoine
1705 Arnold Palmer
Elk Point SD 57025

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 & 4558-3

Dear Sirs:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 & 4558-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4558-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 20, 2017

1096-3
1200-3
4558-3

Mike Chicoine
508 E Clay
Elk Point SD 57025

Dear Mr. Chicoine:

I am writing in follow-up to our phone conversation concerning irrigation questionnaires for Water Right Nos. 1096-3, 1200-3 and 4558-3 (copies enclosed).

The notation on the forms indicates you now own the land. If you own rather than manage them, they should be listed in your name. Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership change. Please review and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have a copy of the water rights, I am including copies for your records. Please return the completed transfer forms, filing fee and the 2017 irrigation questionnaires as soon as possible.

If you have any questions, please contact me.

Sincerely,

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

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

RECEIVED

JAN 10 2018

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4558-3

Date: 1-6-17

I/We request that Water Right No. 4558-3

formerly owned by: Mike & Brad Chicione

be transferred to: (name & address) Mike Chicione

Telephone No. 712-898-9173

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

120 acres – SW ¼ Section 18, T90N, R48W

I/We understand that the validity of Water Right No. 4558-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

Mike Chicione

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Michael Chicoine 508 E Clay Elk Point, SD 57025 Date January 10, 20 18

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 4558-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 08469

By Jeanne Goodman
Chief Engineer vm

4558-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 11, 2018

1096-3
1200-3
4558-3

Mike Chicoine
508 E Clay
Elk Point SD 57025

Dear Mr. Chicoine:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 1096-3, 1200-3 and 4558-3. The irrigation questionnaires for each water right were also received.

The ownership changes have been completed. Water Right Nos. 1096-3, 1200-3 and 4558-3 are now listed in your name.

Enclosed for your records are Receipt Nos. 08469, 08470 and 08471 in the amount of \$50 each. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 20, 2025

*8474-3,*8475-3,*8476-3,*1096-3
*2620-3,*2621-3,*3451A-3,*4558-3
*6557-3,*7218-3,*7221-3,*7222-3
*7223-3,*7711-3,*7713-3

Michael Chicoine
32427 472nd Ave
Elk Point SD 57025

Dear Mr. Chicoine:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaires.

The notice was originally mailed to you at 32926 482nd Ave, Jefferson SD 570383. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **GSPMVA**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

CHIC926 570382006-1425
RETURN TO SENDER
CHICOINE, MICHAEL JAMES
32427 472ND AVE
ELK POINT SD 57025-6712

10/14/25

RETURN TO SENDER

