

1. Considered 1/28 19 81
2. Name of Applicant Stuart Neuharth
3. Post Office Address A.R. 1, Alpena 57312
4. Amount of Water Claimed 1.86
5. Source of Water Supply 62' deep well
6. Water to be used for IRR
7. Acres to be irrigated 138 maximum acre feet
8. Water to be diverted and used in Beadle County

about 2E, 3 miles south of Virgil

9. PROOF OF PUBLICATION Received (initials) 1-27-81

Calvin Carver Adv wrong he needed paper to change to Sec 15, & called Plummer and notified Mt.

Not Received

Approved 1/28/81

Subject to WI IQ

Not Approved

Action deferred

Priority Date Received 1/7/81 Application Complete yes x no FEE 250.00

Remarks

Date information and/or fee or corrected Application received
Period of Annual use April 1st to October 15th

WATER
QUALITY

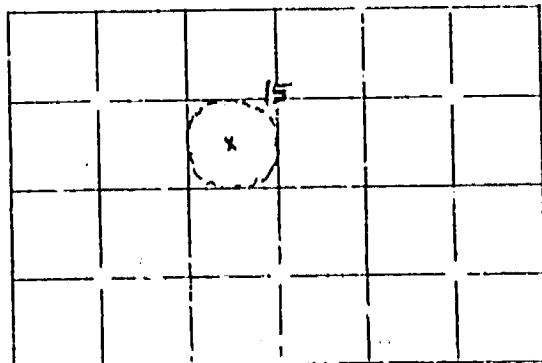
Received yes 1/8/81 no APPROVED/CONDITIONAL (Circle one)

Well Description same as application yes x no Remarks

Disapproved Returned

Diversion Point

Approx center of SW 1/4 15-109-63



Lands to be irrigated

SW 1/4 15-109-63

WELL
LOG

Remarks

Driller Pullman Drilling Licensed yes xx no

#440

Depth 62' deep

Water Right No. _____

MAP Map No. 3832-3 Map located in Water Right x Map file _____
 Type of Map Aerial Prepared by Nettinga, ASCS

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1/28/81

(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. 4615-3

Map No. 3832-3 Water Division No. 3 James River District
 Above for Office Use 10160006



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 STUART NEUBARTH Phone No. 605-849-3206
 Post Office Address RR1 ALMA State S. DAK 57312
 (Street, RR, or Box) (Town) (Zip Code)

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract

3. Name of diversion work Neubarth Irrigation Project

4. Amount of water claimed (cubic feet per second) 2.0 1.56 MAX ALLOWED B.F.

5. Source of water supply Well

6. Location of point of diversion Middle of SW 1/4 Sec 15 + 109 N R 63 W

7. Annual period or periods during which water is to be used Beadle County S. D. April 1st - Oct 15th

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 130

List below each 1/4 acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SW 1/4 SW 1/4 Sec 15	32.5
SE 1/4 SW 1/4 "	32.5
NE 1/4 SW 1/4 Sec 15	32.5
NW 1/4 SW 1/4 Sec 15	32.5

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water the daily Revere

12. Principal Features of the Proposed Water Supply System.

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

From well to irrigate SW 1/4 Sec 15 for

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

Drugher well and center pivot system

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 52,000

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

STATE OF SOUTH DAKOTA)
 County of Beadle) ss.

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

Signed Stuart Neubarth

Subscribed and sworn to before me this 3 day of Nov 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4615-3

Stuart Neuharth

(Applicant)

R.R. 1, Alpena

(Post Office Address)

South Dakota 57312

(State)

With the following qualifications

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 JANUARY 7, 1981

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

Date of receipt of corrected application , JANUARY 8, 1981

Approved JANUARY 28, 1981, Recorded in Book 22 Page 28

WATER RIGHT PERMIT NO. 4615-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4615-3 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 JANUARY 7, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 28, 1982
3. The whole of said work is to be completed on or before JANUARY 28, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 28, 1985
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 1.86 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 JANUARY 28, 1985; said water to be used during the following described annual period: APRIL 1ST TO OCTOBER 15TH

Witness my hand this 12th day of MARCH, 1981

THE WATER MANAGEMENT BOARD

By John H. Hatcher
Civil Engineer, Water Rights

Certificate of Construction Issued , 19

Water License Issued , 19

4615-

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION



NAME OF APPLICANT Stewart M. Mankin

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

The following soils should be left in grass because of problems with trafficability, poor drainage, and wetness during parts of the year.

Tetonka hoven silt loam

Hoven silt loam

Dudley tetonka silt loam

RECOMMENDED MANAGEMENT:

Cool soil cover should be maintained on the Hovlek-Ethan loams

with 6 - 9" slope because of their potential for erosion.

WELL DRILLERS REPORT
SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner:
 Name Alma D. Nelson 9th
 Address Clayton & 2nd

Well Location:

North

Mark location with an "X"

W
E
W

+

+

*

+

1 mile

County Beadle
1/4 3/4 Sec. 15 Twp. 109 Rg. 63

Proposed Use:
☐ Domestic ☐ Municipal ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:
☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:
 Diameter of Hole 9"
 Depth 62'
 Casing ☐ Steel ☒ Concrete
☒ Plastic ☐ Other
 If other, specify _____

Was casing end left open No
 Was a well screen installed yes
 Describe Well Screen
 Diameter 5" Material Plastic
 Slot size .0025
 Was well gravel packed yes
 Was well grouted No
 Was water sample taken yes

Remarks:

Water Level Information:
 Static water level 27' below land surface
 If flowing: closed in pressure _____ PSI
 rate of flow _____ GPM
 Controlled by:
☐ Valve ☐ Reducers ☐ Other
 If other; specify _____

Well Test Data:

☒ Pumped
☐ Bailed Describe: air
☐ Other

Pumping Level Below Land Surface
 _____ ft. After _____ Hrs. pumped _____ GPM
 _____ " " _____ " " _____ "
 _____ " " _____ " " _____ "

Well log:

Formation	Depth	
	From	To
Top Soil	0	2
yellow clay	2	19
Blue clay	19	27
Sand	27	52
med coarse	47	58
Blue clay	58	75
CA. & S. 1/2		
	62	T.D.

(Use Back if Necessary)

Date Completed: _____

Driller: William D. Dilling 940
 Driller's or Firm's Name License NO.

W. Dilling, S.D. Dak
 Address

William Dilling
 Signed By

Date _____

D Well Information

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

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) _____

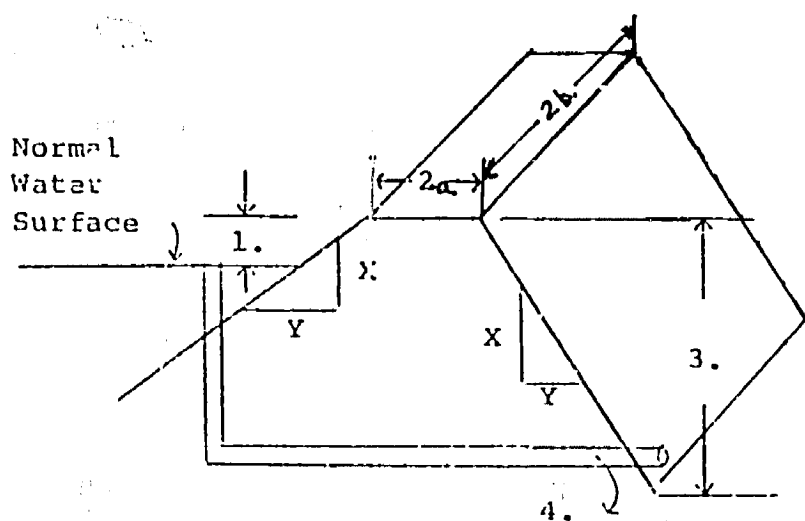
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 1120 rds.

On property owned by others 480 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 _____

2a Crest width _____ b, length _____

3. Height of Dam _____

4. Outlet dimensions:

Pipe diameter _____

Spillway width _____

X & Y slope:

Upstream _____

Downstream _____

Surface area of impoundment _____

Drainage area above dam _____

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

OWNERS NAME: Stuart Lee Neubach OWNERS ADDRESS: R.R. 1
Alpena, So. Dakota
COUNTY LAND LOCATED IN: Bendle PHONE: 849-3206
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: Center of S.W. 1/4 of Sec 15 T-109-N R-63-W
2. SURFACE WATER SOURCE: Aquifer
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>S.W. 1/4 Sec 15 T-109-N R-63-W</u>	<u>125</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn
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: 81-006
8. SALINITY (EC X 10⁶): 1073
9. SODIUM (SAR): 1.10
10. ADJUSTED (SAR): 2.95

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 7:30 a.m./p.m., on Jan 2, 1981, at the following location: Center of S.W. 1/4 of Sec 15 T-109-N R-63-W by Pullman Neubach (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

3 DAY OF Jan, 1981.

(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.

Stuart L. Neubach
APPLICANT'S SIGNATURE

Garth M. Zolner
Director, Division of Conservation

APPROVED _____
DISAPPROVED _____
☒ CONDITIONALLY APPROVED _____



Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Beadle

ss.

I, Linda Schlotter

F.P. 1-16-81

L.P. 1-23-81

Daily Plainsman, print

own personal knowledge

Water Rights Lega

in space of 05

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
January 9, 1981

Notice is hereby given, that Stuart Neuhaith, whose post office address is Alpena, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-14; 46-2-1 thru 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-1, 46-6-3, 46-6-5, 46-6-6, 46-6-10, 46-6-14 and Board Rules ARSD

52-01:01 thru 52-01:01:13, for a permit to appropriate for beneficial use 1.51 cubic feet of water per second of time from ground water (one well) through the Neuhaith Irrigation Project, the point of diversion of which is to be located in the approximate center of the SW 1/4 of Section 13, Twp. 109N, Range 4W, said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 5, T109N, R43W. This Application No. 46153 will be considered by the Water Management Board at Meeting Room No. 1, Knisp Building, Church & Illinois, Pierre, S.D., upon the 28th day of January, 1981, 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 1-24 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, DWR, Joe Foss Building, Pierre, S.D., prior to the hearing date for assistance to assure access to the hearing.

Water Management Board
Burton F. Jones
Water Rights Specialist
No. 24 (adv.)

ly swear that I am the bookkeeper

uron, in the State of South Dakota, and that from my

files of said publication the advertisement of

was inserted in the Huron Daily Plainsman

on dates as follows: January 16 and 21, 1981

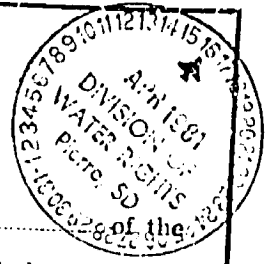
Su

before me this 15th day of April, 1981

(Seal)

My Commission Expires

Notary Public



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

No. 1615-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Linda Schlottter hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plainsman

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

city _____ of Huron

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

January 16, 1981

January 23, 1981

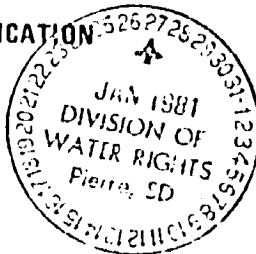
Linda Schlottter
(Signature)

bookkeeper

(Title)

1-23-81

(Date Signed)



F.P. 1-16-81 L.P. 1-23-81
**NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER**
Pierre, South Dakota 57501
January 9, 1981

Notice is hereby given that
Stuart Neuharth, whose post office
address is Alpena, South Dakota,
has made an application in ac-
cordance with the provisions of
SDCL 45-1-1 thru 45-1-14; 45-
2-9 thru 45-2-13; 45-5-1 thru
45-5-8; 45-5-10 thru 45-5-22; 45-5-41;
45-6-3; 45-6-3.1; 45-6-5; 45-6-6.1; 45-6-
10; 45-6-14 and Board Rules ARSD
52-01:01-01 thru 52-01:01-13, for a
permit to appropriate for
beneficial use 1.86 cubic feet of
water per second of time from
ground water (one well) through
the Neuharth Irrigation Project,
the point of diversion of which is to
be located in the approximate
center of the SW 1/4 of Section 5,
Twp. 109N, Range 63W. Said water
to be used for the purpose of
providing irrigation on portions of
the following described land:

SW 1/4, Section 5, T109N, R63W.
This Application No. 4615-3 will
be considered by the Water
Management Board at Meeting
Room No. 1, Kneip Building,
Church & Illinois, Pierre, S.D.,
upon the 28th day of January, 1981,
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 accord-
ing 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 rep-
resented 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, DWR,
Joe Foss Building, Pierre, S.D.,
prior to the hearing date for
assistance to assure access to the
hearing.

Water Management Board
Burton F. Jones
Water Rights Specialist
No. 24 (adv.)

No. 4615-3

Publish first publication, on or before January 16, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 9, 1981

Notice is hereby given that Stuart Neuharth whose post office

address is Alpena, 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 1.86 cubic feet of water per second of time from ground water

(one well) through the Neuharth Irrigation Project, the point ~~(s)~~ of diversion of which is ~~(one)~~ to be located in the approximate center of the SW1/4

of Section 15, Twp. 109N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW1/4, Section 15, T109N, R63W

This Application No. 4615-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building Church & Illinois, Pierre, SD upon the 28th day of January, 1981

at 10 AM. 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, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Stuart Neuharth
RR #1, Alpena, SD 57312

BURTON F JONES
Water Rights Specialist

WNR-806A-7/79
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7832

PIERRE, January 8, 1930

RECEIVED OF Stuart Heuwarth, Alpena, SD 57312

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

Fee for Application for Permit to appropriate Water No. 4615-3 (examination, processing, recording and filing)	250	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-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	250	00

WATER RIGHTS COMMISSION

By *J. H. Hatch*
Chief Engineer, Executive Officer
JUNE HATCH / 1930

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Pierre, S.D. RRIDate Nov 13, 1981TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 46153.

Water Right Permit No. 46153 states that the diversion system is to be constructed by Pullmans, and that the water is put to beneficial use by Stuart Newton D.

The diversion system was completed on May 25, 1981. Applying the water to beneficial use was completed on Oct 10, 1981.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Stuart Newton D.
(Signature)



Permit No. 4615-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by STUART
NEUHARTH of TRD ALPENA holder
of Permit No. 4615-3, bearing date of priority of JANUARY 7, 1981
authorizing the diversion of 1.86 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in BEADLE County.

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

The Water Use System consists of,

A. Works used to divert the water:

62' DEEP WELL WITH 10" FIBREGLAS CASING 20' FIBREGLAS SCREEN
WESTERN LAND ROLLER 8" PUMP. MODEL BF. POWERED BY
50 HP NEWMAN ELECTRIC MOTOR @ 1765 RPM

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

45' OF 8" ALUMINUM PIPE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

LOCKWOOD: 8 TOWER CENTER PIVOT WITH NELSON*200
END GUN

The system is in the following condition: GOOD

The point of diversion is located 45' NE OF CENTER OF THE SW⁴
SECTION 15, T109N, R63W

The works are capable of diverting and conveying to the place of use 1.78 (500 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 130 ACRE CIRCLE IN THE
SW⁴, SECTION 15, T109N, R63W

comprising a total of 130 acres of land.

Date

MAY 4, 1982

(Signature)

Stuart Neuhardt



Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

(605) 773-3352

July 20, 1982

Stuart Heuharth
RR#1
Alpena, South Dakota 57312

Dear Mr. Heuharth:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 4615-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

Maxine Stirling
Staff Assistant

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

SECOND NOTICE
PERMIT NO. 4615-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

December 20, 1982

Stuart Houharth
RR #1
Alpena, South Dakota 57310

Dear Mr. Houharth:

July 20, 1982 you were notified the required final inspection fee of \$50.00 is due before Water License No. 4615-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirements to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

CD0802ks.wr

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete Items 1, 2, and 3 Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one) : ☒ Show to whom and date delivered..... ☐ Show to whom, date and address of delivery..... ☐ RESTRICTED DELIVERY Show to whom and date delivered ☐ RESTRICTED DELIVER* S) Show to whom, date, and address of delivery \$ --- (CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: <i>Stuart Neubach</i> <i>RPI</i> <i>Albina St 57310</i>								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td><i>P200480</i></td> <td><i>1.78</i></td> </tr> </table> (Always obtain signature of addressee or agent)			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		<i>P200480</i>	<i>1.78</i>
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	<i>P200480</i>	<i>1.78</i>						
I have received the article described above. SIGNATURE ☒ Addressee ☐ Authorized agent <i>[Signature]</i>								
4. DATE OF DELIVERY <i>11-22-82</i>		POSTMARK						
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE		CLERK'S INITIALS <i>[Initials]</i>						

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4615-3

(1) WHEREAS, On the 7th day of January A. D. 19 81
Stuart Neuharth

made Water Right Application No. 4615-3 for a permit to use 1.86 cubic feet per second of the waters of groundwater (one well)

County of Beadle, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 28th day of January A. D. 19 81

Permit No. 4615-3, with a date of priority of January, 2, 1981

was issued to said applicant for the diversion of said water, and for the completion of construction of the water supply system therein described on or before the 28th day of January A. D. 19 83 and for the application to beneficial use of said water on or before the 28th day of January A. D. 19 85

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet per second of water for beneficial use and,

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

for irrigating a 130 acre circle in the SW $\frac{1}{4}$, Section 15, T109N, R63W (C)

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

_____ of Alpena, South Dakota 57312

the holder _____ and owner _____ of said permit No. 4615-3 a water right, dating from January 7, 1981

_____ to use of 1.78 cubic feet per second of the waters of groundwater (one Well)

in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 45' NE of the center of the SW 1/4, Section 15, T109N, R53W (CA)

and conducted to and upon a 130 acre circle in the SW 1/4, Section 15, T109N, R63W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4615-3 and subject to the laws of the State of South Dakota.

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

WATER MANAGEMENT BOARD

By:



Chief Engineer, Executive Officer

Permit No. 4615-3

Water Diversion No. 3 James River Water District
10160006

CERTIFICATE OF CONSTRUCTION

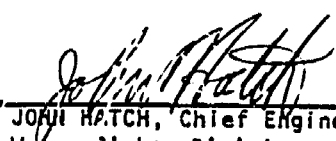
This is to Certify, That Stuart Nauharth

_____ the holder _____ of
Permit No. 4615-3, issued upon Application No. 4615-3, bearing date of priority of January 7, 1981
_____ authorizing the diversion of 1.86 cu. ft. per second of the waters of _____
groundwater (one well) County of Gaule, State of South Dakota at _____
a point 45' NE of the Center of the SW $\frac{1}{4}$, Section 15, T109N, R63W (CA)

_____, for Irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.78' (800 gpm) cu. ft. per second of water.

Date January 21, 1983


JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9089

PIERRE, December 30, 1932

RECEIVED OF Stuart Neuharth, Alpena, SD 57312

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No. <u>4615-3</u>	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. <u>4615-3</u>		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Patch
Chief Engineer, Executive Officer

JOHN PATCH/ms

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

January 21, 1983

Stuart Neuharth
Alpena, South Dakota 57312

Dear Mr. Neuharth:

Enclosed herewith are, Water License No. 4615-3 and Certificate of Construction.

Water License No. 4615-3 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosures

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4615-1
Stuart Neuharth
RR 1
Alpena SD 57312

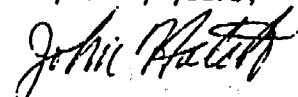
Dear Sir:

Water Permit No. 4615-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 1, 1983

N O T I C E

4615-3
Stuart Neuharth
RR 1
Alpena SD 57312

Dear Sir:

July 19, 1983, the Water Management Board passed a motion directing that those persons with water permits that have the qualification:

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

be notified of this requirement.

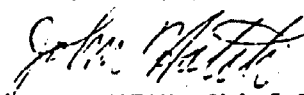
Our records do not show we have received the 1982 Irrigation Questionnaire for Permit No. 4615-3. The questionnaire was requested on the following dates:

1. September 1962 initial request
2. December 1982 followup request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit

The Board has directed that owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire. Any person not submitting the Questionnaire is to be noticed for hearing before the Board to consider disciplinary action including suspension of the permit.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

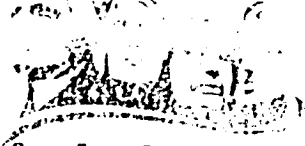
Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 4, 1991

4615-3

Stuart Neuharth
Box 22
Alpena, SD 57312

Dear Mr. Neuharth:

Your 1990 irrigation questionnaire was received in our office on December 31, 1990. Upon reviewing the questionnaire, I noticed that you are irrigating a total of 240 acres. Water Right No. 4615-3 is for irrigation of 130 acres in the SW 1/4 Section 15, T109N, R63W.

I reviewed our files and was unable to find any other permits in your name. If you have added to your system, you will need to make an application for the additional acreage. I have enclosed a set of water permit application forms and an instruction sheet for this purpose.

If, in reviewing your irrigation questionnaire, I have made an incorrect assumption concerning the additional acreage, contact me as soon as possible. If you have any questions, or need assistance in completing the application, please contact either myself or Eric Gronlund at (605) 773-3352.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst

enclosures

File No. 4615-3

Water Rights Division -DWR
Conversation or File Documentation

NAME OF PERSON OR FILE: Stuart Neuharth

ADDRESS: Box 22, Alpena, SD 57312

COUNTY: Beadle

DATE: January 7, 1991

TELEPHONE:

RE: additional acreage being irrigated

COMMENTS:

Mr. Neuharth called the office in response to a set of water permit application forms I had sent to him to apply for additional acreage he reported on his 1990 irrigation questionnaire.

He indicated he was irrigating his brother's land in Section 9, T109N, R63W and reporting this acreage along with his own on the questionnaire.

I indicated to him that I would list him as the operator of the land in Section 9 to enable us to send the questionnaire for Calvin Neuharth (4616-3) directly to him next year. He stated this was fine.

CONCLUSION:

Mr. Neuharth does not need a permit for additional acreage. Future questionnaires for 4615-3 and 4616-3 can be sent directly to Stuart Neuharth.

Stuart Neuharth



January 27, 1997

4615-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4615-3

4616-3

Stuart Neuharth
Box 22
Alpena, SD 57312

Dear Mr. Neuharth:

I am contacting you in regard to your 1996 irrigation questionnaires. The purpose of this letter is to give you a brief explanation of the form and the need for it.

Water Right Nos. 4615-3 and 4616-3 were both approved with a qualification that states *"This permit is approved subject to the irrigation water use questionnaire being submitted each year."* This qualification is placed on all irrigation permits with the exception of those irrigators using water spreading systems. Our program uses the data submitted by irrigators to calculate how much water is used each year from a particular water source. This assists us in determining whether or not new water permits can be issued from that source.

Enclosed are the questionnaires you returned to our office. Please try and complete the back side of the forms. The completed questionnaires will need to be returned to our office no later than February 7, 1997. I am enclosing a postage paid envelope for your reply. If you have any questions, please let me know.

Sincerely,

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

enclosures

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

STUART NEUHARTH
39123 217th ST
ALPENA SD 57312

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1-20-01

C. Signature

X

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2171

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



4615-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: STUART NEUHARTH, 39123 217th ST, ALPENA, SD 57312
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4615-3 & 4616-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4615-3 & 4616-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4615-3 & 4616-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, 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 at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2001

4615-3

4616-3

Stuart Neuharth
39123 217th St
Alpena, SD 57312

Dear Mr. Neuharth:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 4615-3 and 4616-3.

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



4615-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: STUART NEUHARTH, 39123 217th ST, ALPENA, SD 57312
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4615-3 & 4616-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4615-3 & 4616-3 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 5, 2003 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) 4615-3 & 4616-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, 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 at (605) 773-3352.

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



4615-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 3985

Your item was delivered at 9:45 am on January 25, 2003 in ALPENA, SD 57312. The item was signed for by S SNEUHARTH.

[Shipment History >](#)

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:

2301 0370 0000 7541 3985

STUART NEUHARTH
39123 217th ST
ALPENA SD 57312

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

PS Form 153, February 2001

(See Reverse)



4615-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2003

4615-3
4616-3

Stuart Neuharth
39123 217th St
Alpena SD 57312

Dear Mr. Neuharth:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 4615-3 and 4616-3.

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

NOT TO SCALE

MAP NO 3832 APPL NO 4615-3

54.8

378-37R

78.8

Y



Y

Y

70.5

15
~~Katie~~ *Stuart*
Neukirch
~~Alger~~

Harold
Kochner

32.7

X

Y

Y

3.4

109-33

6.9

25.4

Katie Meyer

378-37R

6.8

57.2

17.4

~~MAP # 3832-3~~

appl
4615-3

NOT TO SCALE

54.8

378-37R

78.8

4

15

70.5

Katie Meyer

32.7

Harold Koenig

WELL

3.4

109-33

6.9

25.4

Katie Meyer

378-37R

6.8

57.2

17.4



4615-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: STUART NEUHARTH, 39123 217th ST, ALPENA, SD 57312

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4615-3 & 4616-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4615-3 & 4616-3 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 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4615-3 & 4616-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 2013

4615-3
4616-3

Stuart Neuharth
39123 217th St
Alpena SD 57312

Dear Mr. Neuharth:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 4615-3 and 4616-3. 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