

DIVISION AND TRANSFER OF NO. 4646-3 INTO NOS. 4646A-3 & 4646B-3

L K Stoddard of Parker, SD 57053 was issued Water License No. 4646-3, November 23, 1981 for a water right to appropriate 3.33 cubic feet of water per second from groundwater (two wells), Turner County, South Dakota for irrigation of the N 1/2 Section 1, T98N, R53W. Water License No. 4646-3, carries a priority date of September 23, 1981.

February 25, 1992, the NE 1/4 Section 1 was transferred to Leland K Stoddard.
October 5, 1992, the NW 1/4 Section 1 was transferred to William A Stoddard.

Water License No. 4646-3 was divided and reissued as follows:

No. 4646A-3, William A Stoddard, will authorize diversion of 1.67 cfs from groundwater (one well) to irrigate 150 acres in the NW 1/4 Section 1, T98N, R53W.

No. 4646B-3, Leland K Stoddard, will authorize diversion of 1.67 cfs from groundwater (one well) to irrigate 150 acres in the NE 1/4 Section 1, T98N, R53W.

South Dakota

GREAT FACES. GREAT PLACES.

4646-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 25, 1992

SECOND NOTICE
PERMIT NO. 4646-3A

Bill Stoddard
Box 158
Parker, SD 57053

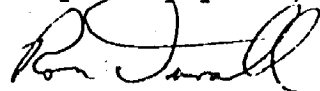
Dear Mr. Stoddard:

On February 20, 1992, notice was sent to you concerning the transfer of Water Right No. 4646-3A in the name of L. K. Stoddard. To date, we have not heard from you on this matter.

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

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

Very truly yours,



RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

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 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 how and when the article was delivered and the date delivered.

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Bill Stoddard
Box 156
Parker, SD 57053

4a. Article Number

P 936 559 925

4b. Service Type

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

5. Date of Delivery

8-28-92

6. Signature (Addressee)

Bill Stoddard

6. Signature (Agent)

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

PS Form 3811, December 1991

★ U.S.G.P.O. 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

RECEIPT

413455

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 5, 19 92

RECEIVED OF William Stoddard, 821 S Walts Ave, Sioux Falls, SD 57104

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 4646-3A		2 50
Fee for Filing Extension Request _____		
Fee for _____		

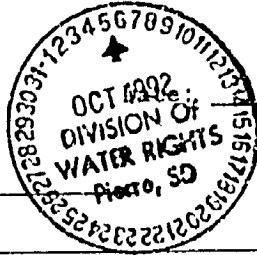
(Any Other Work Provided by Law)	Total	2 50

By *John H. H. H. H.*
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4646-3A



September 29, 1992

I\We request that Water Right No. 4646-3A

formerly owned by: L K Stoddard

be transferred to: (name & address) William A Stoddard 821 S. Walts Ave

Sioux Falls, SD 57104 (Telephone No.) (605) 332-0803

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

NW 1/4 Section 1, T98N, R53W

I\We understand that the validity of Water Right No. 4646-3A has not been determined by this transfer action. If I\We have any questions on validity, I\We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)
)
County of Minnehaha)

I\We William A Stoddard 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.

William A Stoddard
(Signed)

Subscribed and sworn to before me this 29th day of September, 19 92.

L. B. Pendergast
(Notary Public)

My commission expires 4/2/98

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.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4646A-3

DIVISION AND TRANSFER OF NO. 4646-3 INTO NOS. 4646A-3 & 4646B-3

(1) L. K Stoddard of Parker, SD 57053 was issued Water License No. 4646-3, November 23, 1981 for a water right to appropriate 3.33 cubic feet of water per second from groundwater (two wells), Turner County, South Dakota for irrigation of the N 1/2 Section 1, T98N, R53W. Water License No. 4646-3, with a priority date of September 23, 1981 was issued to the Mr. Stoddard for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

February 25, 1992, the NE 1/4 Section 1 was transferred to Leland K Stoddard.
October 5, 1992, the NW 1/4 Section 1 was transferred to William A Stoddard.

Water License No. 4646-3 is being divided and reissued as follows:

No. 4646A-3, William A Stoddard, will authorize diversion of 1.67 cfs from groundwater (one well) to irrigate 150 acres in the NW 1/4 Section 1, T98N, R53W.

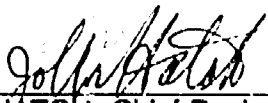
No. 4646B-3, Leland K Stoddard, will authorize diversion of 1.67 cfs from groundwater (one well) to irrigate 150 acres in the NE 1/4 Section 1, T98N, R53W.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is 550 feet SE of the center of the NW 1/4 Section 1, T98N, R53W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T98N, R53W	Section 1	NW 1/4	150 acres
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(4) Pursuant to South Dakota Water Law 46-5-30.1 William A Stoddard of 821 S Walts Avenue, Sioux Falls, SD 57104 the holder and/or owner of Water Right No. 4646A-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from groundwater (one well) with a priority date of September 23, 1981 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4646-3 and subject to South Dakota State Law.



JUN 11 1993

JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources



4646A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 11 1993

4646A-3

William A Stoddard
821 S Walts Avenue
Sioux Falls, SD 57104

Dear Mr. Stoddard:

Enclosed is your Water License No. 4646A-3.

Water License No. 4646-3 has been divided and reissued as follows:

No. 4646A-3 - William Stoddard - authorizing diversion of 1.67 cfs from one well to irrigate 150 acres in the NW 1/4 Section 1, T98N, R53W;

No. 4646B-3 - Leland K Stoddard - authorizing diversion of 1.67 cfs from one well to irrigate 150 acres in the NE 1/4 Section 1, T98N, R53W.

The license was reissued based upon the "Notice of Transfer of Ownership" you submitted on October 5, 1992. As long as you use the water beneficially, as stated in the License, SD Water Laws provide that you have a continuing right to use the water.

If you have any questions concerning the enclosed water license, please contact us.

Very truly yours,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

WILLIAM A STOULDARD
821 S WALTZ AVE
SIOUX FALLS SD 57104

NOTICE

RE: Violation of Water Permit No(s) 4646A-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 4646A-3. The request for the Questionnaire 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 determine the action to be taken for violation of Water Permit No(s) 4646A-3 qualification:

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

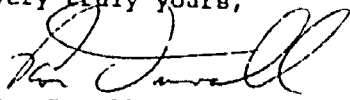
The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit 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) 4646A-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 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.

3. Article Addressed to: *4646A3*
WILLIAM A STODDARD
821 S WALTS AVE
SIOUX FALLS SD 57104

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

- 1. ☒ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

P837692665

4b. Service Type

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

7. Date of Delivery

2-18-94 OS

5. Signature (Addressee)

[Signature]

6. Signature (Agent)

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

PS Form 3811, December 1991 * U.S.G.P.O.: 1992-307-530 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1994

NOTICE

TO: WILLIAM A STODDARD
821 S WATTS AVE
SIOUX FALLS, SD 57104

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 4646A-3,

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
540-2: Darrell E. Feldman, Box 402, Edgemont, SD 57735.
1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
5203-3: Jeffery C. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69210.
961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

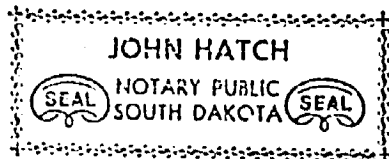
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Maxene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4915A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Gollither, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



4646-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 29, 1994

4646A-3

William A Stoddard
821 S Walts Avenue
Sioux Falls, SD 57104

Dear Mr. Stoddard:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. The form was received from Roger Ihnen, Lennox, SD on March 29th. You may disregard the February 16, 1994, Notice of Violation of Water Permit No. 4646A-3.

The questionnaire 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 Division
(605) 773-3352

NOT TO SCALE

L. K. Stoddard Irrigation System #149

Owner: L. K. Stoddard
Parker, S. D. 57053

Opr: Roger R. Ihnen
Hurley, S. D. 57036

IRRIG.

WELL #1

OWELL

Area To Be Irrigated:

The N $\frac{1}{2}$ 1-98-53 consisting of
320 ac. more or less

IRRIG.
WELL
#2

76.6

47.8

6.3

85.2

49.8

By J. W. Ragle

98-53

5.6

136.3

5.0

5.6

133.7

NW $\frac{1}{4}$ = 4646A-3

(No. 4646-3)

13R 57



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 1, 2010

4646A-3

William A Stoddard
917 S Walts Ave
Sioux Falls SD 57104-4748

Dear Mr. Stoddard:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 310 W 21st St #2, Sioux Falls 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

denr.sd.gov

No. 4646A-3

August 6, 2015

William A Stoddard
917 S Walts Ave
Sioux Falls SD 57104

Dear Mr. Stoddard:

On Tuesday, August 4, 2015, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray had recently occurred from the irrigation system located in the NW 1/4 Section 1-T98N-R53W on the section line road (see attached photo). This irrigation system is covered by Water Right No. 4646A-3 which is held by you.

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

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

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

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

viewing north from ? point on map
4 Aug. 2015, 5:44 PM

