

1. Considered MAY 27 1981
2. Name of Applicant THOMAS PRIBIL
3. Post Office Address OMAHA, NB
4. Amount of Water Claimed 4.0
5. Source of Water Supply 2 WELLS @ 102' DEEP
6. Water to be used for IRR
7. Acres to be irrigated 280 maximum
acre feet
8. Water to be diverted and used in UNION County
about 45 2 miles EAST of JEFFERSON
9. PROOF OF PUBLICATION Received 5-26-81
Not Received _____
APPLICATION Approved 5/27/81
Subject to WI-10
Not Approved _____
Action deferred _____

Priority Date Received 4/27/81 Application Complete yes ☒ no ☐ FEE 300.00

Remarks 2050-3 Cancel

Date information and/or fee or corrected Application received _____
Period of Annual use APRIL - OCTOBER

WATER
QUALITY

Received yes 5/8/81 no ☐ APPROVED CONDITIONAL (Circle one)

Wi-1 Description same as application yes no ☐ Remarks _____

WI-1 USES SD EXTENSION ON T&R DESIGNATION -
W-1 APPL IS CORRECT LEGAL DESC FROM NBS SURVEY

Disapproved _____

Returned _____

Diversion Point S, NW⁴ SE⁴
27-30N-8E E, NW⁴ NE⁴,
34-30N-8E (CNB Survey)

Lands to be Irrigated _____
E¹/₂ SW⁴, W¹/₂ SE⁴ & E¹/₂ SE⁴
SEC 27-T30N-R8E and
NE⁴ NW⁴, NW⁴ NE⁴ & E¹/₂ NE⁴
Sec. 34-T30N-R7E (NB Survey)

WELL
LOG

Remarks _____

Driller WETMORE Dr.

Licensed yes no ☐

SEE 1456-3 &

Water Right No. 4745-3

MAP

Map No. 473956-3 Map located in Water Right _____ Map file _____

Type of Map Division/Division Prepared by PE & 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 5-27-81

B

[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

ETC.

was adopted _____

Remarks _____

No. 4745-3

Map No. 3956-3 Water Division No. 3 Missouri River District
Above for Office Use



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

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Thomas Pribil--Charles Lakin Omaha Phone No. 402-393-5550
Post Office Address Suite 217 Lakin Bldg. 90th & Dodge Road State Nebraska 68114
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

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

3. Name of diversion work Pribil #1

4. Amount of water claimed (cubic feet per second) 4 cfs

5. Source of water supply well

6. Location of point of diversion 2x well 108x one in the 108x one in sec 9-89-48
End well 108x one in the 108x one in sec 9-89-48 SEE ATTACHMENT

County Union

7. Annual period or periods during which water is to be used April through 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 280

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each

Land Description	No. Acres Irr	Land Description	No. Acres Irr
<u>SW 1/4 SW 1/4 sec 9-89-48</u>	<u>40</u>	<u>SEE ATTACHMENT</u>	
<u>W 1/2 SE 1/4 sec 9-89-48</u>	<u>80</u>		
<u>E 1/2 SW 1/4 sec 9-89-48</u>	<u>80</u>		
<u>W 1/2 SE 1/4 sec 9-89-48</u>	<u>80</u>		

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 3 years

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water 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.
sprinklers

Estimated Total Cost \$ 60,000.00

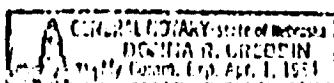
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map (see instructions concerning preparation.)

STATE OF NEBRASKA
County of DOUGLAS

I, THOMAS L. PRIBIL 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 Thomas L. Pribil
20th day of March, 1921
Notary Public for other qualified officer

Subscribed and sworn to before me this



WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4745-3

~~THOMAS PRIBIL~~ Charles Lakin
(Applicant)

SUITE 217 LAKIN BLDG. 90TH & DODGE ROAD, OMAHA
(Post Office Address)

NEBRASKA 68114
(State)

With the following qualifications.

The irrigation wells 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 April 27, 19 81
Date of return to applicant for correction, amendments or changes required April 28, 19 81
Date of receipt of corrected application May 8, 19 81
Approved May 27, 19 81. Recorded in Book 22 Page 218

WATER RIGHT PERMIT NO. 4645-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4745-3 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 April 27, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 27, 19 83
3. The whole of said work is to be completed on or before May 27, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 27, 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 4.0 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-seventh (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 27, 19 89; said water to be used during the following described annual period: April - October

Witness my hand this 9th day of June, 19 81

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

THOMAS PRIBIL
Omaha, NE

Location of Points of Diversion:

Nebraska Survey

Well #1 NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27, T30N, R8E
Well #2 NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 T30N, R3E

Lands to be irrigated:

Section 27, T30N, R8E	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 ac.
	E $\frac{1}{2}$ SE $\frac{1}{4}$	12 ac.
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 ac.
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	32 ac.
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40 ac.
Section 34, T30N, R8E	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 ac.
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 ac.
	E $\frac{1}{2}$ NE $\frac{1}{4}$	36 ac.

280 ac. total

3-26-71

LAKIN TEST WELL # 2

LOCATION: ~~NE 1/4 SEC 9 T 20 N R 40 W~~ ^{NW 1/4 NE 1/4} 34-30-8 NB SURVEY

0-1' TOP SOIL
1-16' CLAY
16-63' FINE SAND
63-102' COARSE SAND & GRAVEL

Wetmore Drilling Co.

Elk Point, S.D.

James Wetmore

3-26-51

LAKIN TEST WELL #1

LOCATION: ~~NEET 1/4 NW 1/4 SEC. 9 T 89 N R 48 W~~ NW 4 SE 4 27-30N-8E NB SURVEY

0-1' TOP SOIL

1-16 CLAY

16-63' FINE SAND

63-102' COARSE SAND & GRAVEL

Wetmore Drilling Co.

Elk Point, S.D.

James Wetmore

D. Well Information

(1) Drill Hole, Diameter 24", Depth 110'

(2) Casing, Type transite (wood, concrete, steel, etc), Diameter 16", Thickness 1/2"

(3) Screen, Type sawed slotted, Diameter 16", Length 40'

(4) Gravel Pack, Thickness 8", Length of gravel pack 50'

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 25'

Depth to bottom of water bearing material 100'

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

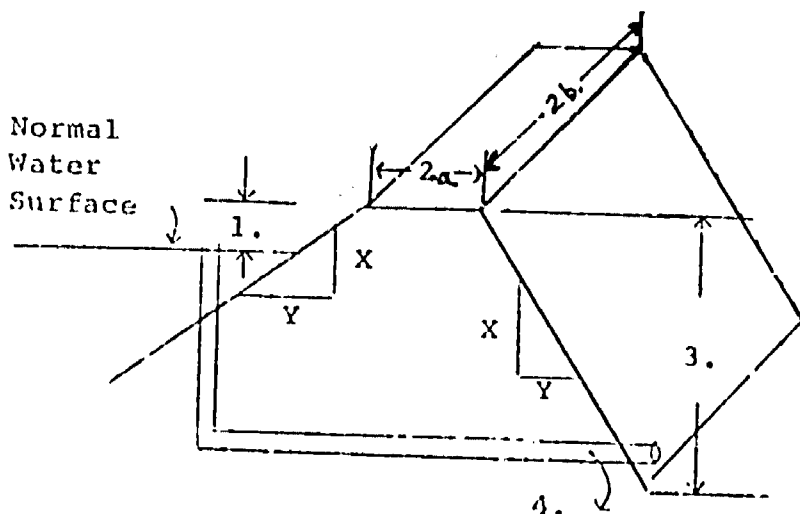
(2) Distance to nearest existing house/old or livestock watering well

On same owner's property 320 rds.

On property owned by others 320 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 _____

Thomas J. R. [Signature]
 Signature of Applicant

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Thomas R. B. B. B. OWNERS ADDRESS: 507 217 1st St. N. E.

907411 Dodge St. N. E.

COUNTY LAND LOCATED IN: Lincoln PHONE: 402-392-56 Omaha Nebraska 68111

TENANT'S NAME AND ADDRESS: (If Other Than Owner) 3262-11N

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: NE 1/4 Sec 7 T89N R42W
2. SURFACE WATER SOURCE: NE 1/4 Sec 7 T89N R42W
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>SW 1/4 Sec 7 T89N R42W</u>	<u>40</u>		
<u>W 1/2 Sec 7 T89N R42W</u>	<u>80</u>		
<u>E 1/2 Sec 7 T89N R42W</u>	<u>80</u>		
<u>NE 1/4 Sec 7 T89N R42W</u>	<u>40</u>		

4. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: (Specify)
5. CROPS TO BE IRRIGATED: Corn Soybeans Alfalfa Etc.
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: 81-374
8. SALINITY (EC X 10⁶): 1460
9. SODIUM (SAR): 2.00
10. ADJUSTED (SAR): 6.12 4.28

RECEIVED

MAY 01 1981

South Dakota
Division of Conservation

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 a.m./p.m., on 5/1/81, 1981, at the following location: NE 1/4 Sec 7 T89N R42W by (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

204 DAY OF April, 1981.

Thomas R. B. B. B.
(NOTARY PUBLIC)

Thomas R. B. B. B.
APPLICANT'S SIGNATURE

Robert M. B. B. B.
Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Thomas Pribil

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

Ac and Ad - Albatron
Ob - Onawa
Pa - Percival

These are poorly drained soils which if problems with ponding or traction occur should be returned to permanent vegetation or drained.

These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT

No. 4745-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lincoln) ss.

I, Lester E. Emerson hereby

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

Water was taken from the The Leader-Courier

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 Elk Point

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

Thursday, May 14, 1981

Thursday, May 21, 1981

Lester E. Emerson
(Signature)

Editor
(Title)

May 21, 1981
(Date Signed)

Cost of Printing: _____

WNR-808-7/79
Proof of Publication

*rec
5/26/81
DW*

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that Thomas Pribil whose post office address is Omaha, Nebraska has made an application in accordance with the provisions of SDCL 48-1-1 thru 48-1-9; 48-1-14; 48-2-9 thru 48-2-11; 48-2-13; 48-5-1 thru 48-5-8; 48-5-10 thru 48-5-22; 48-5-41; 48-6-3; 48-6-3.1; 48-6-5; 48-6-9.1; 48-6-10; 48-6-14 and Board Rules AR3D 52.01; 01.01 thru 52.01.0113, for a permit to appropriate for beneficial use 4.0 cubic feet of water per second of time from groundwater (two wells) through the Pribil #1, the points of diversion of which are to be located in the NW 1/4, SE 1/4 of Section 27 and NW 1/4, NE 1/4 of Section 34, all in Twp. 80N, Range 8E (Nebraska Survey). Said water to be used for the purpose of providing irrigation on portions of the following described land: E 1/4, SW 1/4, W 1/4, SE 1/4 and E 1/4, SE 1/4 of Section 27 and NE 1/4, NW 1/4, NW 1/4, NE 1/4 and E 1/4, NE 1/4 of Section 34, T30N, R8E (Nebraska Survey). This Application No. 4745-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building, Church & Illinois, Pierre, SD, upon the 27th day of May, 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 1-26 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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

Water Management Board
Burton F. Jones
Water Rights Specialist
Pub. May 14, 21. 5-20

No. 4745-3
Publish first publication, on or before May 14, 1981
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

Notice is hereby given that Thomas Pfeiffer whose post office

address is Omaha, Nebraska, ~~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 4.0 cubic feet of water per second of time from groundwater

(two wells) through the Pfeiffer #1, the point(s) of diversion of which ~~is~~ (are) to be located in the NW 1/4, SE 1/4, Section 27 and NW 1/4, NE 1/4

34 all in of Section 34, Twp. 30N, Range 9E (Nebraska Survey)
providing irrigation on portions of the following described land:

SW 1/4, NW 1/4 SE 1/4 and E 1/4 SE 1/4, Section 27 and NE 1/4, NW 1/4, NW 1/4 NE 1/4 and E 1/4 NE 1/4, Section 34,
T30N, R8E (Nebraska Survey)

This Application No. 4745-3 will be considered by the Water Management Board at
Meeting Room #1, Kneip Building,
Church & Illinois, Pierre SD upon the 27th day of May, 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 1-26 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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Thomas Pfeiffer
Suite 218, Lakin Bldg.
90th & Dodge St
Omaha NE 68114

~~XXXXXXXXXXXX~~ EDWARD BURTON F JONES
Water Rights Specialist

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

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8180

April 27, 1981

PIERRE,

RECEIVED OF Thomas Pribil, Suite 217, Lakin Bldg. 90th & Dodge Rd., Omaha, NE
the following amount in fees for services rendered as provided for by law: 68114

4745-3	300	00
Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
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	300	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH / CE

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8327

June 14, 1981

PIERRE,

RECEIVED OF Charles E. Laken, Suite 217, Lakin Bldg., 90th & Dodge
the following amount in fees for services rendered as provided for by law: Omaha, NE 68114

	2	50
Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
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 <u>transfer of WR# 4745-3</u>		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH / CE

NO. 4745-3

Date: June 22, 1981

This is to notify you that the title to the lands described as follows:

E_{1/2} SW_{1/4}, W_{1/2} SE_{1/4}, E_{1/2} SE_{1/4}, Section 27 and NE_{1/4} NW_{1/4}, NW_{1/4} NE_{1/4}, E_{1/2} NE_{1/4}.

Section 34, T30N, R8E, Union County, South Dakota

formerly owned by Thomas Pribil, Suite 217, Lakin Bldg., 90th & Dodge Rd., Omaha, NE 68114

has been transferred to Charles E. Lakin, Suite 217, Lakin Bldg. 90th & Dodge
Omaha, NE 68114
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4745-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

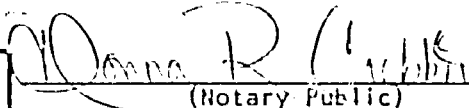
A fee of Two Dollars and Fifty Cents (\$2.50), is hereto attached to cover filing fees as required under SDCL 46-2-13.

NEBRASKA
STATE OF ~~SOUTH DAKOTA~~)
) ss.
County of Douglas)

I, Thomas L. Pribil 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 I know of my own personal knowledge that the information herein stated is true.

Thomas J. Culbert
(Signed)

Subscribed and sworn to before me this 22nd Day of June, 1981.



Charles E. Lakin Enterprises

Ph 402-393-5550

Suite 225

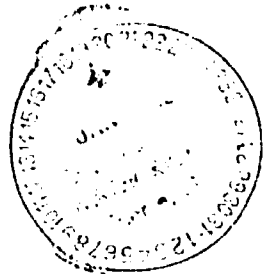
The Lakin Bldg.

90th & Dodge

Omaha, Nebr. 68114

January 17, 1983

The South Dakota Department of
Water and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501



Permit Number 4745-3

Dear Sir:

In reference to the above water permit number, enclosed please find your completed Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, as required.

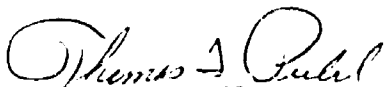
As I understand, your board will then schedule an inspection so that our Certificate of Instruction and Water License may be issued to us, thus completing our acquisition of a water right.

To coordinate your inspection of the completed system, at your desire, if you would like someone to accompany you, you may contact John Hanson our tenant at the farm. His phone number is 605-232-4258. Or, you may contact Mr. Dave Taylor, our farm manager, phone number 712-458-2441.

If you have any questions or need any further information, please contact me.

Very truly yours,

CHARLES E. LAKIN ENTERPRISES


Thomas L. Pribil

TLP:dc

Enclosure

cc: John Hanson
Dave Taylor

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office _____

Date January 17, 1983

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

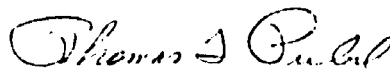
Dear Sirs:

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. 4745-3.

Water Right Permit No. 4745-3 states that the diversion system is to be constructed by May 27, 1986, and that the water is put to beneficial use by May 27, 1983.

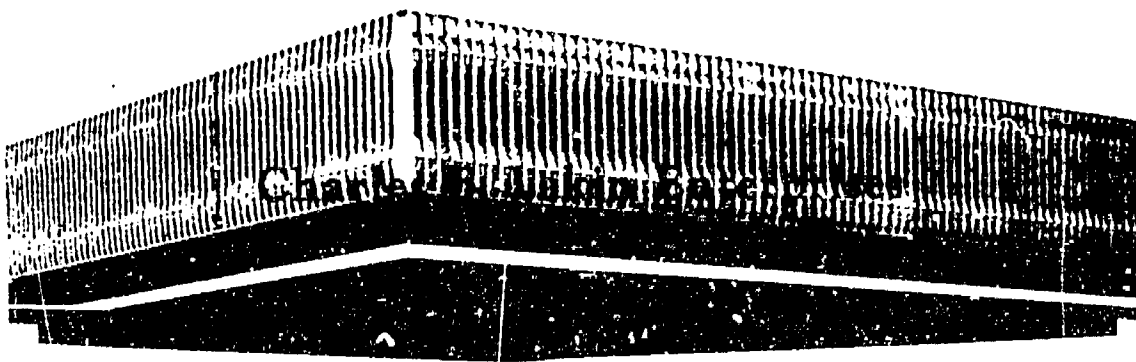
The diversion system was completed on May 11, 1982. Applying the water to beneficial use was completed on May 20, 1982.

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.



(Signature)

Charles E. Lakin by
Thomas L. Pribil



September 23, 1983

South Dakota Department of Water
and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501

Re: Permit #4745-3

Dear Sir:

Enclosed please find a copy of my letter to your office dated January 17, 1983. I assume that you have already done your inspection so would you please see that our Certificate of Construction and water license is issued and forwarded to me.

Very truly yours,

CHARLES E. LAKIN ENTERPRISES

Thomas L. Pribil
Thomas L. Pribil *by DC*

TLP:dc

Enclosure



Charles E. Lakin Enterprises

Suite 225

The Lakin Bldg.

90th & Dodge

Omaha, Nebr. 68114

January 17, 1983

The South Dakota Department of
Water and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501

Permit Number 4745-3

Dear Sir:

In reference to the above water permit number, enclosed please find your completed Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, as required.

As I understand, your board will then schedule an inspection so that our Certificate of Construction and Water License may be issued to us, thus completing our acquisition of a water right.

To coordinate your inspection of the completed system, at your desire, if you would like someone to accompany you, you may contact John Hanson our tenant at the farm. His phone number is 605-232-4258. Or, you may contact Mr. Dave Taylor, our farm manager, phone number 712-458-2441.

If you have any questions or need any further information, please contact me.

Very truly yours,

CHARLES E. LAKIN ENTERPRISES

Thomas L. Pribil

TLP:dc

Enclosure

cc: John Hanson
Dave Taylor

Handwritten signature

Water Rights Division
605 773-3352

September 28, 1983

4745-3

Charles E Lakin Enterprises
Suite 225
8990 West Dodge Rd
Omaha NE 68114

Attention: Thomas L. Pribil

Dear Mr. Pribil:

This will acknowledge receipt of your letter dated September 23, 1983 concerning inspection of the water use system and issuance of the Water License for Water Permit No. 4745-3. To date, an inspection has not been made of your water use system.

Inspections are conducted county by county as time permits. You have complied with all regulations for obtaining a permit including notification to this office upon completion of the project. The intervening time between completion of the project and the actual inspection and issuance of the water license has no bearing on your permit. You will be notified when the final inspection has been completed and of any requirements necessary before the license can be issued.

If you have any questions, please contact this office.

Sincerely,

GENNY MCMATH
Water Rights Specialist

GM:ks

4745-3



Charles E. Lakin Enterprises

Suite 225, 8990 West Dodge Road

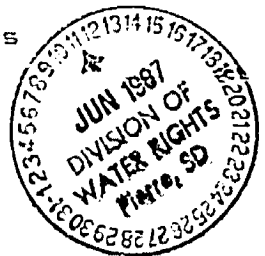
Omaha, Nebraska 68114

(402) 393-5550

June 9, 1987

South Dakota Department of Water & Natural Resources
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501-3181

Re: Permit No. 4745-3



Dear Sir:

Enclosed please find a copy of your letter to me of September 28, 1983.

To date I have not heard from you of your final inspection nor our license being issued.

Would you please advise me to the status of this so I may update my files. Thank you.

Very truly yours,

Thomas L. Pribil

TLP/vlr
Enc.

4745-

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

July 16, 1987

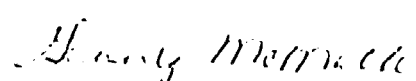
Thomas L Pribil
Charles E Lakin Enterprises
Suite 225
8990 West Dodge Rd
Omaha, NE 68114

Dear Mr. Pribil:

I am writing in response to your letter dated June 9, 1987 concerning the inspection and issuance of a water license for Water Permit No. 4745-3. To date, an inspection of the water use system authorized under Permit No. 4745-3 has not been conducted. Unfortunately, Union County has not been scheduled for inspections yet.

You will be notified of when an inspection is scheduled for Water Permit No. 4745-3. Thank you for checking into this matter. If you have any questions, please contact me.

Sincerely,


GENNY MCMATH
Water Rights Analyst

4745-3

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

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

February 17, 1989

Charles E. Lakin Enterprises
8990 W. Dodge Rd
Omaha, NE 68114

Dear Sir:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



REPRODUCTIONS.

REDUCTION

35:1

ROLL NO. 4-18

DATE MICROFILMED

CAMERA OPERATOR

Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix 7 contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John H. Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Charles E. Lakin Enterprises

Suite 225, 8990 West Dodge Road

Omaha, Nebraska 68114

(402) 393-5550

November 13, 1990

Water Rights Division
Joe Foss Building
523 E. Capital
Pierre, SD 57501

Re: #4745-2, Charles E. Lakin Enterprises

Dear Sir:

As you requested, attached please find the completed October 1990 Water Management Board Irrigation Questionnaire and the completed Chemical Application Data for 1990. Forms for the above-referenced for the 1990 drop year.

If you have any questions or need anything further, please contact me.

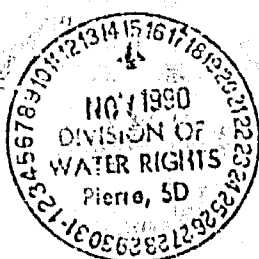
Very truly yours,

CHARLES E. LAKIN ENTERPRISES

Thomas L. Pribil
Thomas L. Pribil

TLP:sim

Enclosures





DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 20, 1990

4745-3

Thomas L Pribil
Charles E Lakin Enterprises
Suite 225
8990 W Dodge Road
Omaha, NE 68114

Dear Mr. Pribil:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 4745-3.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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 me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

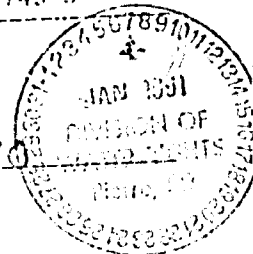
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 4745-5

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

Date: 12-27-90



I/We request that Water Permit/Right No. 4745-5

formerly owned by: Charles E Lakin

be transferred to: (name & address) Mc Cook Lake Dyke & Water League

341 Lake Shore Dr 744 Hwy 5 Dyke (telephone No.) 225-232-4029
55538

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

SE1, E1 SW1 Section 27, NE1 NW1, NW1 NE1, E1 NE1 Section 34, T30N, R5E

I/We understand that the validity of Water Permit/Right No. 4745-5 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 LINCOLN

I/We Al Parnow, President 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.

Al Parnow President
(Signed)

Subscribed and sworn to before me this 27th day of December, 1990.

Bonnie J. Parnow
(Notary Public)
41 25143.

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 7, 19 21

RECEIVED OF McCook Lake Izaak Walton League, 541 Lake Shore Dr., 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Permit No. 1745-5</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John H. H. H.
Chief Engineer



DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 24, 1991

No. 4745-3

Al Parvu
McCook Lake Izaak Walton League
341 Lake Shore Drive
Jefferson, SD 57038

Dear Mr. Parvu:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4745-3.

Our records now show you as the owner of Water Permit No. 4745-3.

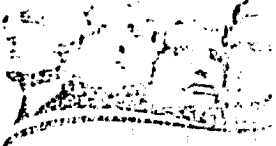
Sincerely,

Jaci R. Konop

JACI KONOP
Senior Secretary
Water Rights Division
605 773-3352

enclosure

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

4745-3

MCCOOK LAKE ISAAC WALTON LEAGUE
341 LAKE SHORE DR
JEFFERSON, SD 57038

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 4745-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 4745-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 4745-3 until either the 1990 chemigation report(s) is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: McCook Lake Isaac Walton League 341 Lake Shore Dr Jefferson, SD 57038	4. Article Number P 430 906 203 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature -- Addressee * Eugene L. Mui - Jr.	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature -- Agent X	
7. Date of Delivery 2-5-91	

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 14, 1991

4745-3

JOHN J HANSON -- OPERATOR
271 WESTSHORE DR
JEFFERSON, SD 57038

Dear Mr. HANSON - OPERATOR:

I am writing to acknowledge receipt of your 1990 chemigation report for Water Right No.(s) 4745-3. You may disregard the February 1, 1991, Notice of failure to report chemical use for 1990. With receipt of the chemigation report, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall,
Natural Resources Engineer IV
Water Rights Division

5 permits

4745-3

Permit No. 4745-3
Missouri River - Water District

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

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

I have this day made a thorough examination of the water use system constructed by McCook Lake Izaak Walton League of 341 Lake Shore Drive Jefferson, SD 57036 holder of Permit No. 4745-3, bearing the priority of April 27, 1981 authorizing the diversion of 4.0 cu. ft. per second of the waters of the Missouri Aquifer - Elk Point Management Unit for irrigation purposes, in Union County.

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

- A. Works used to divert the water:
One well - 160' deep with 120' of 16" PVC casing and 40' of 16" PVC slotted screen, Western Land Roller Pump, Model No. 8 MOL-16, 16", 1400 GPM, Westinghouse Motor, Model No. 360 TP, 75 HP
- B. Works used to transport water to place of use:
12' of 10" steel pipe
- C. Works used to apply water to beneficial use:
Valley Electric Center Pivot system, 10 towers, 1700' long with end gun, low pressure system, 1350 GPM

The system is in the following condition good. The point of diversion is located 2337'W and 2443'S of the NE corner of Section 9-T89N-R48W. The works are capable of diverting and conveying to the place of use 3.0 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:

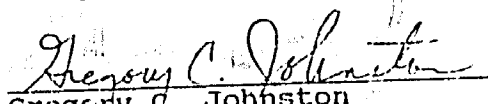
All in Section 9-T89N-R48W:

<u>NE1/4 NW1/4 = 11 acres</u>	<u>NE1/4 SE1/4 = 11 acres</u>
<u>SE1/4 NW1/4 = 39 acres</u>	<u>SW1/4 NE1/4 = 40 acres</u>
<u>SW1/4 NW1/4 = 4 acres</u>	<u>NW1/4 NE1/4 = 17 acres</u>
<u>NW1/4 SW1/4 = 1 acre</u>	<u>SE1/4 NE1/4 = 17 acres</u>
<u>NE1/4 SW1/4 = 32 acres</u>	<u>NE1/4 NE1/4 = 2 acres</u>
<u>NW1/4 SE1/4 = 37 acres</u>	

comprising a total of 211 acres of land and the license should be issued for 3.00 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: None Date: 6/22/93


Gregory C. Johnston
Natural Resources Engineer II
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4745-3

DATE: 6/22/93

Other permit(s) associated with the project: None

DIVERSION POINT LEGAL LOCATION: 2337'W and 2443'S of the NE corner of Section 9-T89N-48W

WELL INFORMATION: 1) Well Drilling Firm: Wetmore Drilling

2) No. of Wells 1

3) Depth(s) 160 feet

4) Well log is available Y/N N

5) Comment: Well information was obtained conversation with Mike Wetmore- 7/27/93

Casing:

1) Diameter 16 inches

2) Length 120 feet

3) Type PVC

Screen:

1) Type Slotted PVC

2) Length 40 feet

3) Static water level 15 feet

Pump:

1) Make Western Land Roller

2) Model 8 MOL-16

3) Size 16

4) Capacity 1400 GPM

Motor:

1) Make Westinghouse

2) Model No. 360 TP

3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

1) Type Steel

2) Size 10 inches

3) Length 12 feet

SYSTEM TYPE:

Center pivot:

1) Make Valley Electric

2) Overall length 1700 feet

3) Number of towers 10

4) Distance between towers 160 feet

5) End gun Y/N Y

6) High or low pressure Low

7) Capacity 1350 GPM

CHEMIGATION EQUIPMENT:

1) Does chemigate Y/N N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y/N Y
- 2) Special qualifications to permit being abided by Y/N Y
- 3) All structures, wells and lands on map Y/N Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y/N Y

Water Rights Division - DENR
Conversation or File Documentation

Name of Person: McCook Lake (Zaak Walton League, John Hanson,
Leasor File No. 4745-3
Address: 341 Lake Shore Drive Jefferson, SD 57038 County: Union
Date: 7/27/93 Telephone: Mike Wetmore Driller -
RE: Well completion report for No. 4745-3

Comments:

Called Mike Wetmore and spoke with him about the well completion report for Water Permit No. 4745-3. 4745-3 was held by Charles Lakin at the time of drilling in 1981-82. Mike had a receipt for drilling in May of 1982 for Lakin Enterprises. The following is a written well completion report for the well used under No. 4745-3:

0-114' Fine Sand
114-118' Coarse Sand
118-160' Coarse Sand and Gravel
Casing: From 0 to 120' of 16" PVC
Screen from 120 to 160' of 16" Slotted PVC
15' static water level
Pump test - Water level at 32' after pumping @ 1650 GPM for 3 hrs.
No legal location given

Mike Wetmore believes that this is the only well that was drilled and completed for Charles Lakin.

In addition, the legal location for the acreage being irrigated and the two wells originally intended for irrigation are based on the Nebraska Survey. The lands applied for irrigation are located as follows:

Section 27-T30N-R8E

NW1/4 SE1/4 - 40 acres
E1/2 SE1/4 - 12 acres
SW1/4 SE1/4 - 40 acres
NE1/4 SW1/4 - 32 acres
SE1/4 SW1/4 - 40 acres

Section 34-T30N-R8E

NE1/4 NW1/4 - 40 acres
NW1/4 NE1/4 - 40 acres
E1/2 NE1/4 - 36 acres

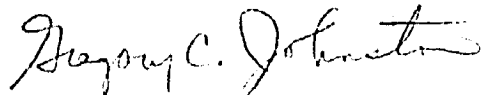
The actual acreage being irrigated correspond to the following legal location based on the 5th Meridian Survey in South Dakota:

Section 9-T89N-R48W:

NE1/4 NW1/4 = 11 acres
SE1/4 NW1/4 = 39 acres
SW1/4 NW1/4 = 4 acres
NW1/4 SW1/4 = 1 acre

NE1/4 SW1/4 = 32 acres
NW1/4 SE1/4 = 37 acres
NE1/4 SE1/4 = 11 acres
SW1/4 NE1/4 = 40 acres
NW1/4 NE1/4 = 17 acres
SE1/4 NE1/4 = 17 acres
NE1/4 NE1/4 = 2 acres
Total = 211 acres

The 211 acres described under the SD survey are covered under the Nebraska legal survey description of the lands originally applied for irrigation. The actual well location is within 660' of the intended well in the NW1/4 SE1/4 of Section 9-T89N-R48W (on Soil/Water Application form) or the NW1/4 NE1/4 Section 34-T30N-R8E (Well No. 2) given in the original application for No. 4745-3.



Gregory C. Johnston
Natural Resources Engineer

4745-3



Department of Agriculture
DIVISION OF CONSERVATION

445 East Capitol Ave
Pierre, South Dakota 57501-3185
Phone 605-773-3258
FAX 605-773-5926



Russ Stone
Division Director
773-4024

Dale Anderson
Irrigation Program
773-4025

Keith Harner
District Specialist
773-4515

Pete Jahraus
Natural Resource Planner
773-4351

Cec Johnson
Senior Secretary
773-3258

Clark B. Johnson
Wetlands Coordinator
773-6503

Ariene Pitan
Senior Secretary
773-3259

Roy Richardson
NPS I&E Coordinator
773-5276

James L. Stukel
Irrigation Program Administrator
773-4003

August 10, 1993

MCCOOK LAKE IZAAK WALTON LEAGUE
ATTENTION: JOHN HANSON
341 Lake Shore Drive
Jefferson, SD 57038

Dear Mr. Hanson:

Per a review of information provided by the Division of Water Rights and the existing Soil and Water Compatibility Permit, Number 2868-UN, we have found that of the 211 acres irrigated, only 69 are permitted. Apparently, this error was made at the time of the original application; when two surveys were used on the applications.

Please review the enclosed application, sign and have notarized and return it to this office.

For further information and assistance, please feel free to contact this office.

Sincerely,

James L. Stukel, Irrigation Program Administrator
SOUTH DAKOTA DIVISION OF CONSERVATION

JLS:aap

CC: Eric Gronlund

Mail to: Water Rights Div.
DWRN, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. _____	Hydrologic Unit _____
Basin _____	
Newspaper _____	

Application For Soil/Water Compatibility Permit

Type of Application: ☒ New ☐ Varied Right ☐ Amend Permit No. _____
☒ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant McCOOK LAKE IZAAK WALTON LEAGUE, John Hanson Phone No. 232-4097

Post Office Address 341 LAKE SHORE DRIVE JEFFERSON State SD 57038
(Street, RR or Box) (City) (Zip Code)

2. Amount of water claimed (c.f.s.) 3 Total acres irrigated 211

3. Source of Water supply GROUND

4. Location of point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$ 9-T89N-R48W

County UNION

5. Counties where water will be used UNION

6. Annual period during which water is to be used _____

7. 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.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9-T89N-R48W	11	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9-T89N-R48W	39
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 9-T89N-R48W	17	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 9-T89N-R48W	40
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 9-T89N-R48W	2	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9-T89N-R48W	17
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9-T89N-R48W	4	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9-T89N-R48W	1
/ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9-T89N-R48W 11 acres (such sheet if more space is needed)			

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: XXX Gun: _____ Other: _____
(Specify)

9. Crops to be irrigated: CORN, BEANS, ALFALFA, ETC.

10. Give a description of proposed project. (Attach sheet if more space is needed)

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of _____)

I, _____, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed _____

Subscribed and sworn to before me this _____ day of _____ 19____

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Thomas Pribil OWNERS ADDRESS: Suite 217 Lakota Bldg
901 and Dolor Road
Omaha NE 68114
 COUNTY LAND LOCATED IN: Lincoln PHONE: 402-393-5550
 TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

2868-UN

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 1/4 Acre)

1. WELL LOCATION OR DIVERSION POINT: SW 1/4 Sec 9 T29N R47W
 2. SURFACE WATER SOURCE: The NE 1/4 NE 1/4 Sec 9 T29N R47W
 3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See Instruction sheet)
LR#4745-3 5/27/81

Legal Description	Acres	Legal Description	Acres
SW 1/4 SW 1/4 Sec 9 T29N R47W	40		
NE 1/4 Sec 9 T29N R47W	70		
SE 1/4 SW 1/4 Sec 9 T29N R47W	70		
NE 1/4 SE 1/4 Sec 9 T29N R47W	80		
	280		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
 5. CROPS TO BE IRRIGATED: Corn, beans, Alfalfa, Etc.
 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: 81-374
 8. SALINITY (EC X 10⁶): 1460
 9. SODIUM (SAR): 2.00
 10. ADJUSTED (SAR): 6.12 428

RECEIVED

MAY 01 1981

South Dakota
Division of Conservation

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 3:00 p.m. on 4/15, 1981, at the following location: SW 1/4 Sec 9 T29N R47W by _____ (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

30th DAY OF May, 1981.

Donna R. Gabbler

(NOTARY PUBLIC)

Thomas S. Pribil

APPLICANT'S SIGNATURE

Jack McFall

Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

Department of Agriculture
WI#1
5/37

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

6739

WR#

OWNERS NAME: McCook Lake Izaak Walton League
c/o JOHN HANSON OWNERS ADDRESS: 271 WEST SHOCK DRIVE
McCOOK LAKE, SD 57049

COUNTY LAND LOCATED IN: HUTTON PHONE: 222-4097

LEGAL DESCRIPTION:

1. LOCATION: SEC. 9-T89N-R48W

Depth:

☐ Well

☐ Surface

Legal Description	Acres	Legal Description	Acres
NE 1/4 SEC. 9-T89N-R48W	11	SE 1/4 NW 1/4 9-T89N-R48W	39
NW 1/4 NE 1/4 9-T89N-R48W	17	SW 1/4 NE 1/4 9-T89N-R48W	40
NE 1/4 NW 1/4 9-T89N-R48W	2	SE 1/4 NE 1/4 9-T89N-R48W	17
SW 1/4 NW 1/4 9-T89N-R48W	4	NW 1/4 SW 1/4 9-T89N-R48W	1
100% SE 1/4 9-T89N-R48W	11		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify)

3. CROPS TO BE IRRIGATED: CORN, BEANS, ALFALFA, ETC.

WATER QUALITY:

4. WATER SAMPLE NUMBER: 31-374 7. ADJUSTED (SAR): 6.11
5. SALINITY (EC X 10⁻¹): 1460 8. PERCENT SODIUM: _____
6. SODIUM (SAR): 2.00

Requirements:

The area mapped as Fluvaquents, wet (Fb) is subject to wetness and ponding. Should this occur, the area shall be placed in permanent vegetation and shall not be irrigated.

Russell J. Stone
Director, Division of Conservation

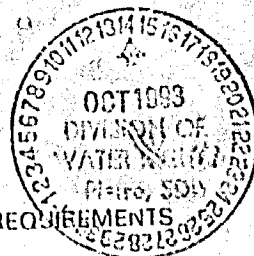
SEPTEMBER 7, 1993

Date

APPROVED
DISAPPROVED
WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA OPERATOR SIGNATURE



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 20, 1993

4745-3

John Hanson
McCook Lake Isaak Walton League
341 Lakeshore Drive
Jefferson, SD 57038

Dear Mr. Hanson:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4745-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

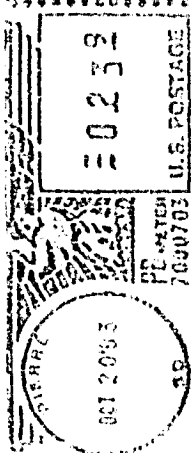
Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



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



RETURN TO SENDER
FORWARDING ORDER HAS EXPIRED
FOR RURAL ROUTE CONSOLIDATION



John Hanson
McCook Lake Isaak Walton League
341 Lakeshore Drive
Jefferson SD-57038

NEW ADDRESS:
→ McCook Lake SD 57049

cc: Jeff Hanson



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 12, 1994

SECOND NOTICE
Permit No: 4745-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

John Hanson
McCook Lake Izaak
Walton League
341 Lakeshore Drive
McCook Lake, SD 57049

Dear Mr. Hanson:

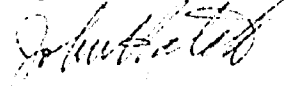
On February 17, 1994, you were notified the final inspection fee of \$50.00 is due before Water License No. 4745-3 can be issued. As of this date, the fee has not been received.

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(2). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document 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.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,


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

RECEIPT

414183

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____

20
May 1994

RECEIVED OF John Hanson, 271 W Shore Dr, McCool Lake, SD 57049-4021

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. <u>4745-5</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By _____

Chief Engineer



NOV 14 1994

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4745-3

John Hanson
McCook Lake Izaak Walton League
341 Lakeshore Drive
McCook Lake, SD 57049

Dear Mr. Hanson:

Enclosed is Water License No. 4745-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414183 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4745-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

ks
enclosures

4745-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4745-3 FOR IRRIGATION

(1) Thomas Pribel, of Omaha, Nebraska made Application No. 4745-3, April 27, 1981 for a water permit to appropriate 4.0 cubic feet of water per second from groundwater, Union County, South Dakota for irrigation purposes. Permit No. 4745-3, with a priority date of April 27, 1981 was approved May 27, 1981 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

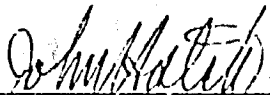
Water Permit No. 4745-3 was transferred June 24, 1981 to Charles E Lakin and transferred on January 7, 1991 to McCook Lake Izaak Walton League.

(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 3.00 cubic feet of water per second for beneficial use. The location of the diversion point is 2337 feet west and 2443 feet south of the northeast corner of Section 9-T89N-R48W (SW 1/4 NE 1/4).

(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:

T89N-R48W	Section 9	NE 1/4 NW 1/4	11 acres
		SE 1/4 NW 1/4	39 acres
		SW 1/4 NW 1/4	4 acres
		NW 1/4 SW 1/4	1 acre
		NE 1/4 SW 1/4	32 acres
		NW 1/4 SE 1/4	37 acres
		NE 1/4 SE 1/4	11 acres
		SW 1/4 NE 1/4	40 acres
		NW 1/4 NE 1/4	17 acres
		SE 1/4 NE 1/4	17 acres
		NE 1/4 NE 1/4	2 acres
		Total	211 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 McCook Lake Izaak Walton League of 341 Lakeshore Drive, McCook Lake SD 57049 the holder and/or owner of Water Permit No. 4745-3 is issued a license to appropriate water, the right to use 3.00 cubic feet of water per second from groundwater (one well) with a priority date of April 27, 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. 4745-3 and subject to South Dakota State Law.



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

NOV 14 1991

date

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:

4745-3

John Hanson
McCook Lake Izaak Walton
League
341 Lakeshore Drive
McCook Lake, SD 57049

4a. Article Number

P 318 052 651

4b. Service Type

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

7. Date of Delivery

8-13-90

5. Signature (Addressee)

6. Signature (Agent)

[Signature]

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

PS Form 3811, December 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

NOT TO SCALE

1" = 754'

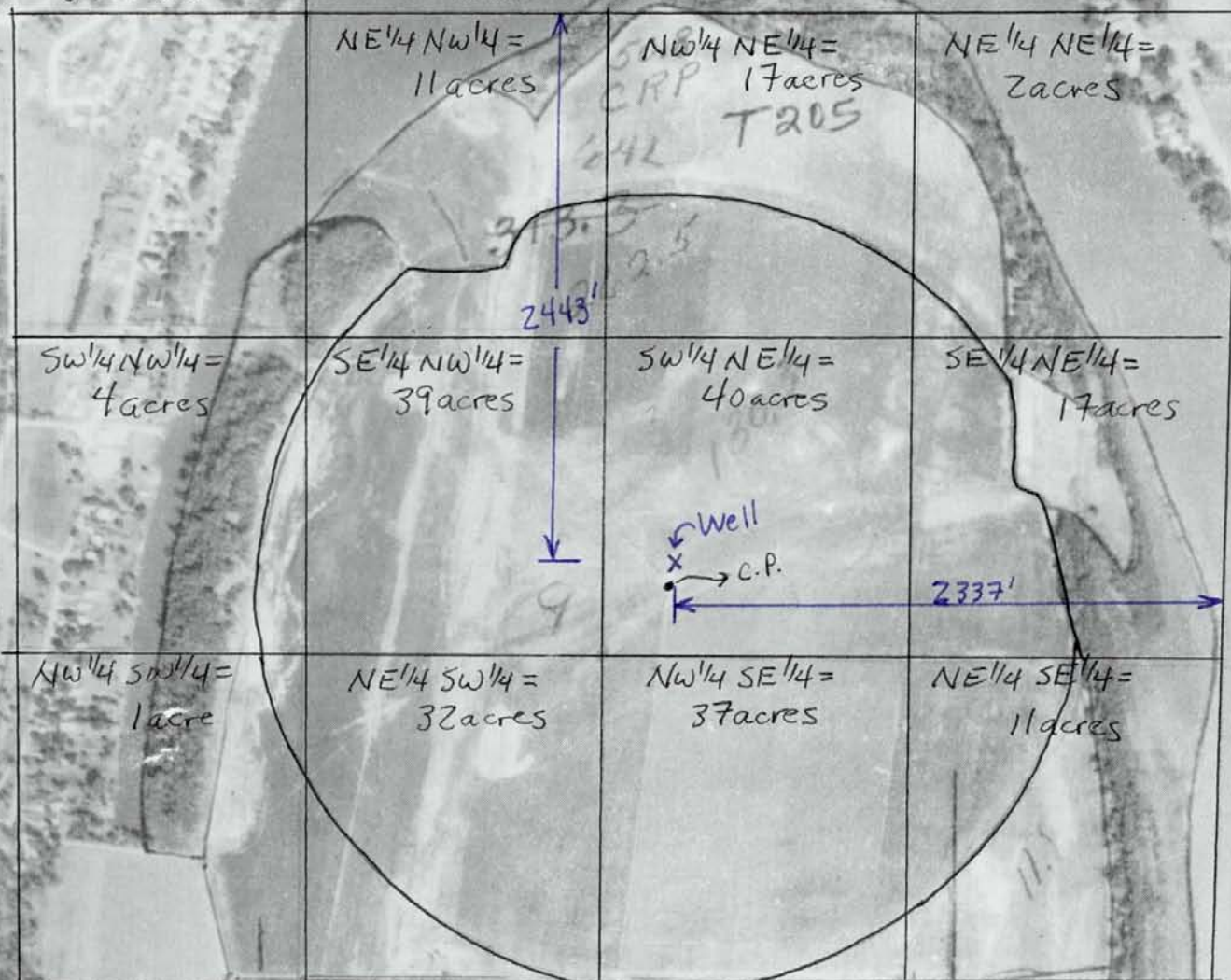
No. 4745-3 IZAAK WALTON LEAGUE

Drawn by: Gregory C. Johnston

Gregory C. Johnston
Natural Resources Engineer / Water Rights
DENR

Section 9-T89N-R48W:

7/27/93



All in Section 9-T89N-R48W: 16

NW¹/₄ NE¹/₄ = 17 acres

NE¹/₄ NE¹/₄ = 2 acres

SW¹/₄ NE¹/₄ = 40 acres

SE¹/₄ NE¹/₄ = 17 acres

NW¹/₄ SE¹/₄ = 37 acres

NE¹/₄ SE¹/₄ = 11 acres

NE¹/₄ NW¹/₄ = 11 acres

SW¹/₄ NW¹/₄ = 4 acres

(continued →)

SE¹/₄ NW¹/₄ = 39 acres

NE¹/₄ SW¹/₄ = 32 acres

NW¹/₄ SW¹/₄ = 1 acre

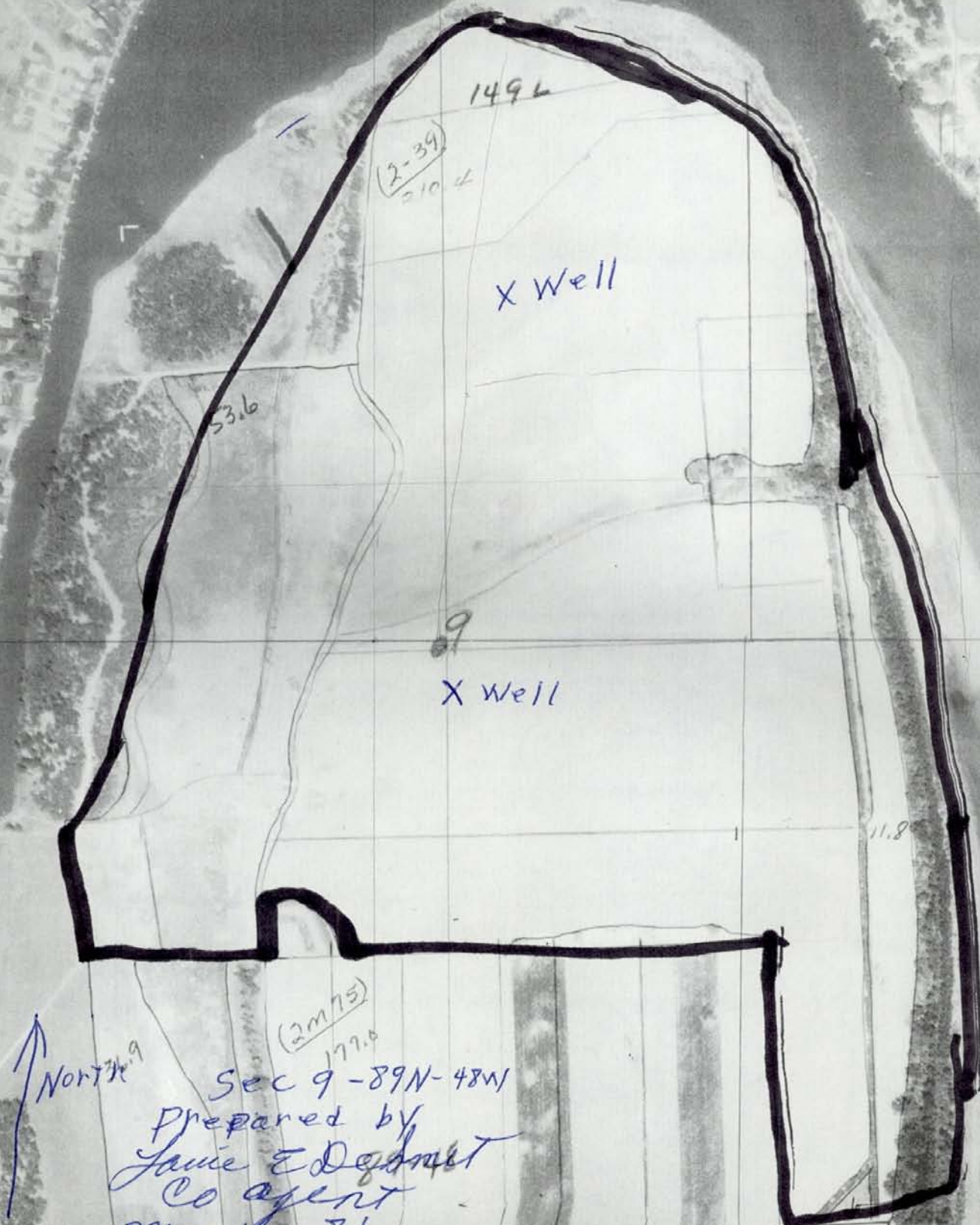
Total 211 acres

4745-3

NOT TO SCALE

46127-176

MAP NO 3956-3 APPL NO 4745-3



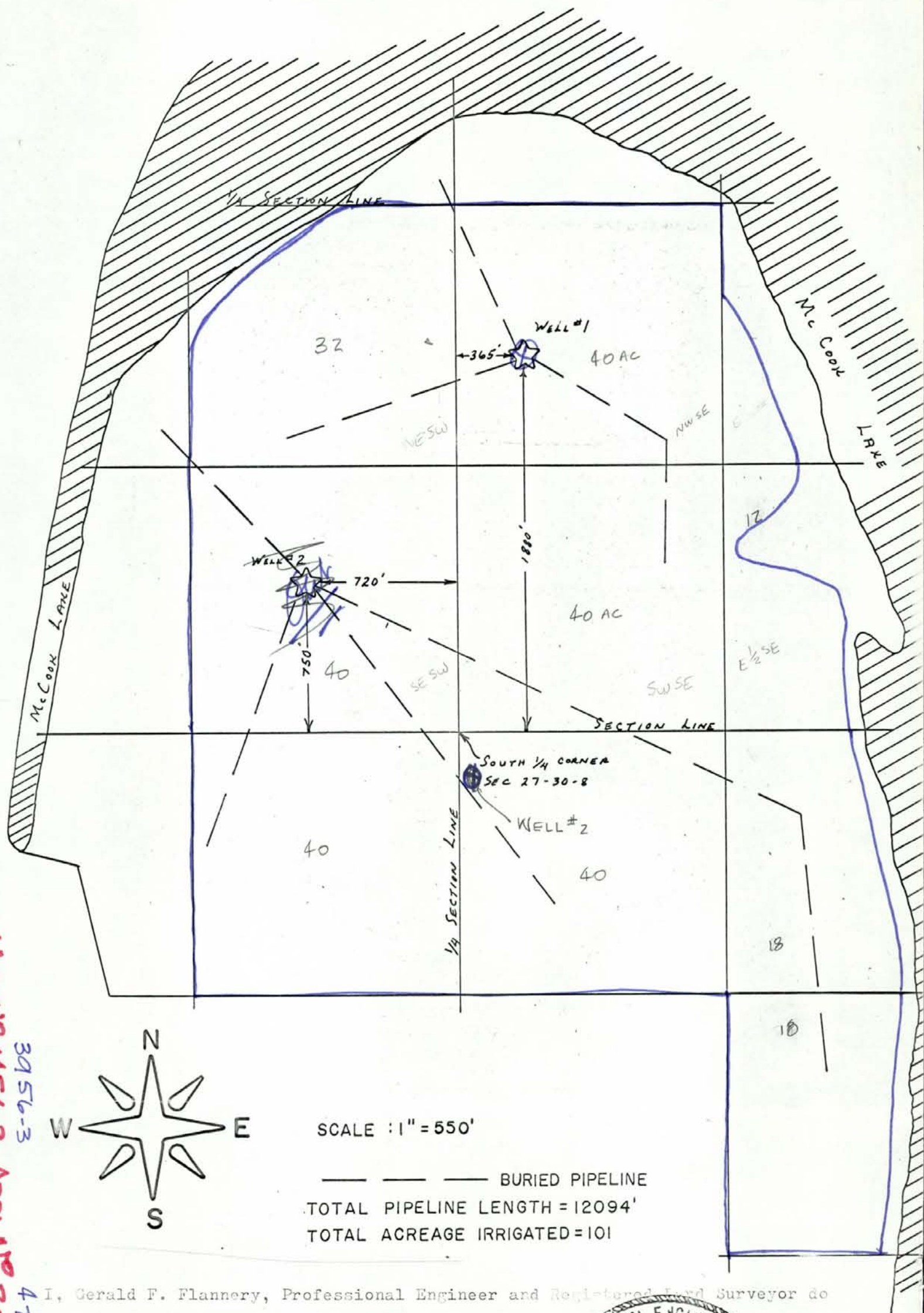
Sec 9-89N-48W
Prepared by
Jamie E. DeGroot
Co agent
Mar 16-81

149L

LOCATION MAP

IRRIGATION WELLS

IN SECTION 27, T30N, R8E, 6th P.M.



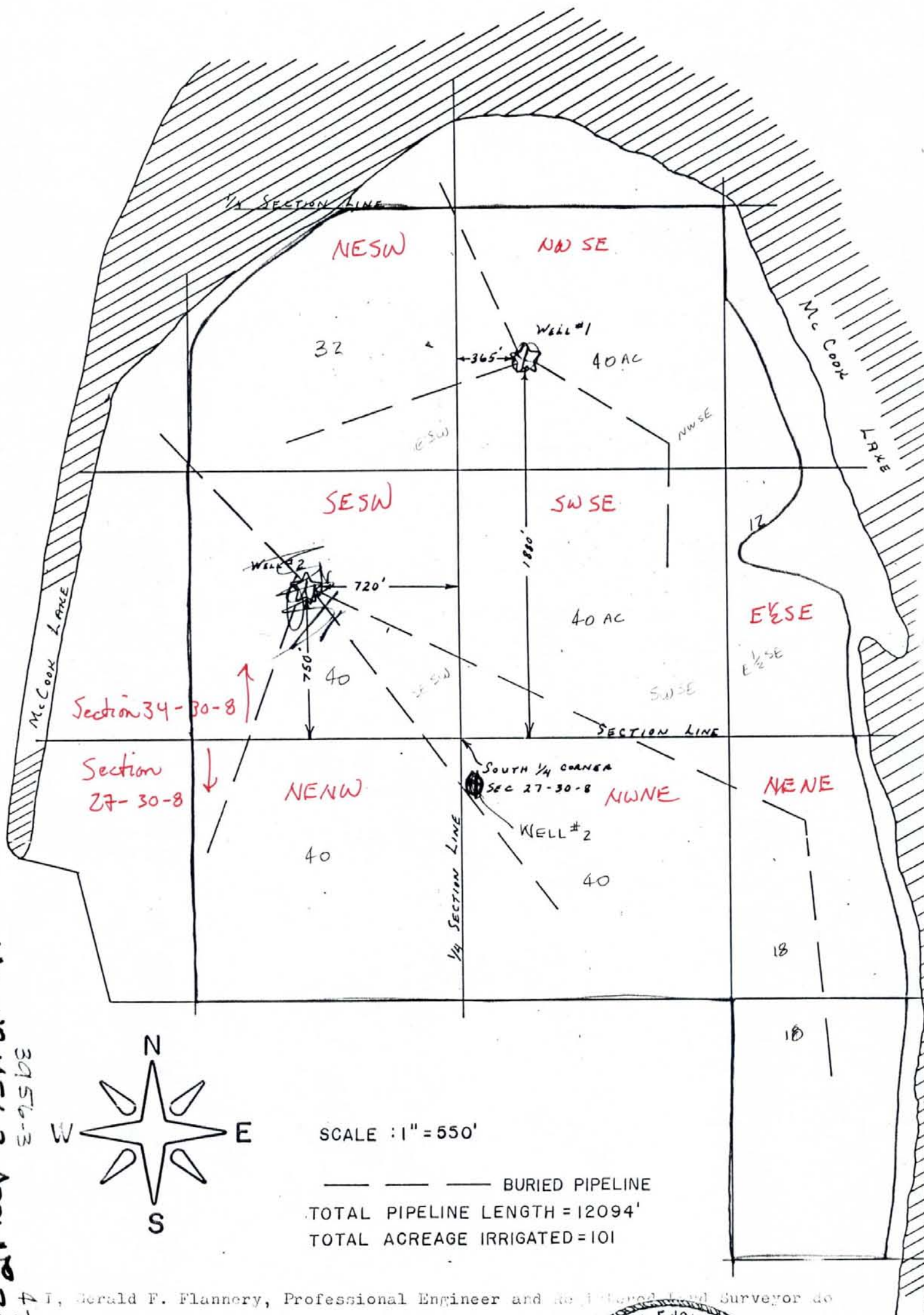
I, Gerald F. Flannery, Professional Engineer and Registered Land Surveyor do hereby certify that being so authorized by the owners of the property, I have prepared this area map indicating the location of the irrigation wells and the attached pipelines.



Gerald F. Flannery

MAP 12-1456-3
3956-3
APPL NO 2050-3
4745-3

LOCATION MAP IRRIGATION WELLS IN SECTION 27, T30N, R8E, 6th P.M.



I, Gerald F. Flannery, Professional Engineer and Registered Land Surveyor do hereby certify that being so authorized by the owners of the land, I have prepared this area map indicating the location of the irrigation wells and the attached pipelines.



Gerald F. Flannery

3956-3
APPL N° 2050-3
4745-3



January 24, 2006

4745-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: HANSON FARMS, LEASOR, MIKE HANSON, 33463 480TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2341A-3 & 2858-3 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) 2360-3, 2361-3 & 4745-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 2360-3, 2361-3 & 4745-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2341A-3 & 2858-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 24, 2006, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

c: ALVIN HOWE, 30778 R 49, HINTON, IA 51024

MCCOOK LAKE IZAAK WALTON LEAGUE, 341 LAKE SHORE DR, MCCOOK LAKE, SD 57049

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.

4745-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0799 5791

Detailed Results:

- Delivered, February 13, 2006, 3:08 pm, NORTH SIOUX CITY, SD 57049
- Notice Left, January 25, 2006, 2:39 pm, NORTH SIOUX CITY, SD 57049
- Acceptance, January 24, 2006, 11:38 am, PIERRE, SD 57501

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5791MCCOOK LAKE IZAAK WALTON LEAGUE
341 LAKE SHORE DR
MCCOOK LAKE SD 57049Waiver of Signature ☐ YES ☐ NOPostmark
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™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)

2/15/06

address correction received

PO Box 995
N Sioux City, SD 57049



**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 6, 2006

Mike Hanson
Hanson Farms
33463 480th Ave
Jefferson SD 57038

RE: Water Right Nos. 2341A-3, 2360-3, 2361-3, 2858-3 and 4745-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 2341A-3, 2360-3, 2361-3, 2858-3 and 4745-3.

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

c: Alvin Howe
McCook Lake Izaak Walton League



**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 22, 2010

NOTICE

TO: HANSON FARMS, LEASOR, MIKE HANSON, 33463 480TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2360-3, 2361-3 & 4745-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 2360-3, 2361-3 & 4745-3 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 10, 2010** 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) 2360-3, 2361-3 & 4745-3 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 5, 2010**, 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/aspx>

c: MCCOOK LAKE IZAAK WALTON LEAGUE, PO BOX 995, N SIOUX CITY, SD 57049-0995

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.

4745-3
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Track & Confirm

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Your item was delivered at 2:10 PM on January 26, 2010 in JEFFERSON, SD 57038. The item was signed for by M HANSON.

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Detailed Results:

- Delivered, January 26, 2010, 2:10 pm, JEFFERSON, SD 57038
- Notice Left, January 23, 2010, 12:08 pm, JEFFERSON, SD 57038
- Out for Delivery or Available at PO Box, January 23, 2010, 8:57 am, JEFFERSON, SD 57038
- Sorting Complete, January 23, 2010, 8:27 am, JEFFERSON, SD 57038
- Arrival at Post Office, January 23, 2010, 8:13 am, JEFFERSON, SD 57038

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HANSON FARMS, LEASOR
MIKE HANSON
33463 480TH AVE
JEFFERSON SD 57038

Waiver of Signature ☐ YES ☐ NOPostmark
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SIGNATURE CONFIRMATION NUMBER:
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MCCOOK LAKE IZAAK WALTON LEAGUE
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Waiver of Signature ☐ YES ☐ NOPostmark
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PS Form 3800, May 2009



**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 25, 2010

2360-3
2361-3
4745-3

Mike Hanson
Hanson Farms
33463 480th Ave
Jefferson SD 57038

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2360-3, 2361-3 and 4745-3.

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
email: genny.mcmath@state.sd.us

C: McCook Lake Izaak Walton League, PO Box 995, N Sioux City, SD 57049-0995



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 16, 2018

4745-3

McCook Lake Izaak Walton League
215 Sun Coast Dr
N Sioux City SD 57049

Dear Sirs:

Thank you for the prompt return of your 2018 irrigation questionnaire.

It is my understanding from the notation made on your questionnaire that the land has been enrolled in CRP through 2032. Under SDCL 46-5-37.2, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

The annual irrigation questionnaire for Water Right No. 4745-3 will not be mailed to you until the land comes out of CRP. If the land is sold or other changes occur prior to the land coming out of the program, please notify us so that appropriate changes can be made to the water right.

If you have any questions, please contact me.

Sincerely,

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