

1. Considered: 10-7, 1981 Water Right No. 4804-3
2. Name of Applicant EMIL ZEEB MA 4013-3
3. Post Office Address Rt 2, Box 76 - FREEMAN, SD 57029
4. Amount of Water Claimed 0.74 maximum acre feet
5. Source of Water Supply 216' WELL
6. Water to be used for IRR acres to be irrigated 51.5
7. County HUTCHINSON about 2E, 1 miles SOUTH of OLIVET
8. PROOF OF PUBLICATION: Received 10/11-6-81 Not Received
APPLICATION: Approved 12/2/81 Subject to 10/11 T.O.
Not Approved Action Deferred

RY
-81 Dated Received 8-7-81 Application complete-yes no FEE 150.00
Remarks add'l acreage on 4020-3

Corrected Application received Period of Annual Use 4/1 - 10/30
Received yes 9/14/81 no APPROVED/CONDITIONAL (Circle one)
WI-1 Description same as application yes no Remarks

Disapproved Returned

Diversion Point
APPROXIMATE CENTER NE⁴
13-T97N-R58W

Land to be irrigated
SE⁴ NE⁴; SW⁴ NW⁴ & SE⁴ NW⁴
Sec 13-T97N-R58W.

(SE⁴ NE⁴ & S¹/₂ NW⁴)

LOG Driller DAKOTA BORING Licensed - (es) #234 no
Depth 216' dup
Remarks

Water Right No. _____

MAP Map No. 3264-3
4013-3 Map located in Water Right X Map file _____
Type of Map Aerial Prepared by SCS

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete. Number assigned and written up for advertisement before the Board on:

Sept 14, 1981

B. Westlund
(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 was
DECISIONS adopted _____
ETC. Remarks _____

No. 4804-3Map No. 1013-3 Water Division No. 3 JAMES RIVER District
3264-3 Above for Office Use 10160011

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 ☒ ON 4020-3

1. Name of Applicant Emil P. Zeeb Phone No. 605-337-5430
 Post Office Address Rt 2, Box 76 Freeman State S.D. 57029
(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) contract3. Name of diversion work Zeeb # 14. Amount of water claimed (cubic feet per second) 0.745. Source of water supply well6. Location of point of diversion center of NE 1/4, sect. 13, T97N, R58W7. Annual period or periods during which water is to be used County Hutchinson
April - Oct.8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, _____ Total number of acres to be irrigated 51.5

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.
SE 1/4 of NE 1/4 13-97-58	40
SE 1/4 SW 1/4 NW 1/4 13-97-58	8
SE 1/4 of NW 1/4 13-97-58	3.5

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Freeman Courier

12. Principal Features of the Proposed Water Supply System.

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

Turbine pump with diesel engine (well)

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

Underground pipe (pipeline)

C. Works proposed to apply water to beneficial use.

Center pivotEstimated Total Cost \$ 30,000

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

STATE OF SOUTH DAKOTA)

County of Hutchinson) ssI, Emil P. Zeeb

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 Emil P. ZeebSubscribed and sworn to before me this 4thday of August1981

JOHN R. V. RUTHERFORD, Notary Public
 HUTCHINSON COUNTY S.D. DAK.
 MY COMMISSION EXPIRES _____

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No 4804-3

(Applicant) EMIL P. ZEEB RT. 2, Box 76 - FREEMAN, S. D.
 (Post Office Address)
SOUTH DAKOTA 57029 (State) With the following qualifications.

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

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

Date of first receipt of application August 7, 19 81
 Date of return to applicant for correction, amendments or changes required August 7, 19 81
 Date of receipt of corrected application September 14, 19 81
 Approved December 2, 19 81, Recorded in Book 22 Page 312

WATER RIGHT PERMIT NO. 4804-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4804-3 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 August 7, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before June 2, 19 83
3. The whole of said work is to be completed on or before December 2, 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 2, 19 86
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 0.74 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before December 2, 19 86; said water to be used during the following described annual period: April thru October

Witness my hand this 7th day of December, 19 81

THE WATER MANAGEMENT BOARD

By John Hatch
 Chief Engineer, Water Rights
 JOHN HATCH

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

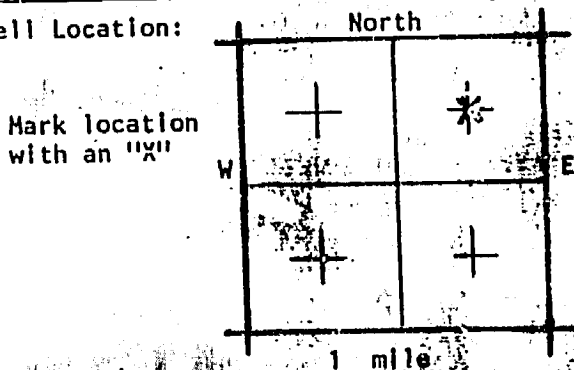
PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

Well Owner:
Name Eril Zeeb
Address Menno S.D.

Well Location:



County Hutchinson

Water Level Information:

Static water level _____ below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPH

Controlled by:

☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Well Test Data:

☐ Pumped

☐ Bailed

Describe _____

☐ Other _____

Pumping _____ below land surface

pumped _____ GPH

Well Log:

Depth

Formation

From

To

10' - 15'	10'	15'
15' - 20'	15'	20'
20' - 25'	20'	25'
25' - 30'	25'	30'
30' - 35'	30'	35'
35' - 40'	35'	40'
40' - 45'	40'	45'
45' - 50'	45'	50'
50' - 55'	50'	55'
55' - 60'	55'	60'
60' - 65'	60'	65'
65' - 70'	65'	70'
70' - 75'	70'	75'
75' - 80'	75'	80'
80' - 85'	80'	85'
85' - 90'	85'	90'
90' - 95'	90'	95'
95' - 100'	95'	100'
100' - 105'	100'	105'
105' - 110'	105'	110'
110' - 115'	110'	115'
115' - 120'	115'	120'
120' - 125'	120'	125'
125' - 130'	125'	130'
130' - 135'	130'	135'
135' - 140'	135'	140'
140' - 145'	140'	145'
145' - 150'	145'	150'
150' - 155'	150'	155'
155' - 160'	155'	160'
160' - 165'	160'	165'
165' - 170'	165'	170'
170' - 175'	170'	175'
175' - 180'	175'	180'
180' - 185'	180'	185'
185' - 190'	185'	190'
190' - 195'	190'	195'
195' - 200'	195'	200'
200' - 205'	200'	205'
205' - 210'	205'	210'
210' - 215'	210'	215'
215' - 220'	215'	220'
220' - 225'	220'	225'
225' - 230'	225'	230'
230' - 235'	230'	235'
235' - 240'	235'	240'
240' - 245'	240'	245'
245' - 250'	245'	250'
250' - 255'	250'	255'
255' - 260'	255'	260'
260' - 265'	260'	265'
265' - 270'	265'	270'
270' - 275'	270'	275'
275' - 280'	275'	280'
280' - 285'	280'	285'
285' - 290'	285'	290'
290' - 295'	290'	295'
295' - 300'	295'	300'
300' - 305'	300'	305'
305' - 310'	305'	310'
310' - 315'	310'	315'
315' - 320'	315'	320'
320' - 325'	320'	325'
325' - 330'	325'	330'
330' - 335'	330'	335'
335' - 340'	335'	340'
340' - 345'	340'	345'
345' - 350'	345'	350'
350' - 355'	350'	355'
355' - 360'	355'	360'
360' - 365'	360'	365'
365' - 370'	365'	370'
370' - 375'	370'	375'
375' - 380'	375'	380'
380' - 385'	380'	385'
385' - 390'	385'	390'
390' - 395'	390'	395'
395' - 400'	395'	400'
400' - 405'	400'	405'
405' - 410'	405'	410'
410' - 415'	410'	415'
415' - 420'	415'	420'
420' - 425'	420'	425'
425' - 430'	425'	430'
430' - 435'	430'	435'
435' - 440'	435'	440'
440' - 445'	440'	445'
445' - 450'	445'	450'
450' - 455'	450'	455'
455' - 460'	455'	460'
460' - 465'	460'	465'
465' - 470'	465'	470'
470' - 475'	470'	475'
475' - 480'	475'	480'
480' - 485'	480'	485'
485' - 490'	485'	490'
490' - 495'	490'	495'
495' - 500'	495'	500'
500' - 505'	500'	505'
505' - 510'	505'	510'
510' - 515'	510'	515'
515' - 520'	515'	520'
520' - 525'	520'	525'
525' - 530'	525'	530'
530' - 535'	530'	535'
535' - 540'	535'	540'
540' - 545'	540'	545'
545' - 550'	545'	550'
550' - 555'	550'	555'
555' - 560'	555'	560'
560' - 565'	560'	565'
565' - 570'	565'	570'
570' - 575'	570'	575'
575' - 580'	575'	580'
580' - 585'	580'	585'
585' - 590'	585'	590'
590' - 595'	590'	595'
595' - 600'	595'	600'
600' - 605'	600'	605'
605' - 610'	605'	610'
610' - 615'	610'	615'
615' - 620'	615'	620'
620' - 625'	620'	625'
625' - 630'	625'	630'
630' - 635'	630'	635'
635' - 640'	635'	640'
640' - 645'	640'	645'
645' - 650'	645'	650'
650' - 655'	650'	655'
655' - 660'	655'	660'
660' - 665'	660'	665'
665' - 670'	665'	670'
670' - 675'	670'	675'
675' - 680'	675'	680'
680' - 685'	680'	685'
685' - 690'	685'	690'
690' - 695'	690'	695'
695' - 700'	695'	700'
700' - 705'	700'	705'
705' - 710'	705'	710'
710' - 715'	710'	715'
715' - 720'	715'	720'
720' - 725'	720'	725'
725' - 730'	725'	730'
730' - 735'	730'	735'
735' - 740'	735'	740'
740' - 745'	740'	745'
745' - 750'	745'	750'
750' - 755'	750'	755'
755' - 760'	755'	760'
760' - 765'	760'	765'
765' - 770'	765'	770'
770' - 775'	770'	775'
775' - 780'	775'	780'
780' - 785'	780'	785'
785' - 790'	785'	790'
790' - 795'	790'	795'
795' - 800'	795'	800'
800' - 805'	800'	805'
805' - 810'	805'	810'
810' - 815'	810'	815'
815' - 820'	815'	820'
820' - 825'	820'	825'
825' - 830'	825'	830'
830' - 835'	830'	835'
835' - 840'	835'	840'
840' - 845'	840'	845'
845' - 850'	845'	850'
850' - 855'	850'	855'
855' - 860'	855'	860'
860' - 865'	860'	865'
865' - 870'	865'	870'
870' - 875'	870'	875'
875' - 880'	875'	880'
880' - 885'	880'	885'
885' - 890'	885'	890'
890' - 895'	890'	895'
895' - 900'	895'	900'
900' - 905'	900'	905'
905' - 910'	905'	910'
910' - 915'	910'	915'
915' - 920'	915'	920'
920' - 925'	920'	925'
925' - 930'	925'	930'
930' - 935'	930'	935'
935' - 940'	935'	940'
940' - 945'	940'	945'
945' - 950'	945'	950'
950' - 955'	950'	955'
955' - 960'	955'	960'
960' - 965'	960'	965'
965' - 970'	965'	970'
970' - 975'	970'	975'
975' - 980'	975'	980'
980' - 985'	980'	985'
985' - 990'	985'	990'
990' - 995'	990'	995'
995' - 1000'	995'	1000'

(Use back if needed)

Date Completed: June 18, 51

Driller:

Address

Signed By

Date

Remarks:

D Well Information

- (1) Drill Hole, Diameter 30", Depth 216'
- (2) Casing, Type Plastic (wood, concrete, steel, etc), Diameter 15", Thickness $\frac{1}{2}"$
- (3) Screen, Type Stainless Steel, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness ~~XXX~~ 7 $\frac{1}{2}"$, Length of gravel pack 216'

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 155'

Depth to bottom of water bearing material 216'

Depth to water (ground surface to water level) 100'

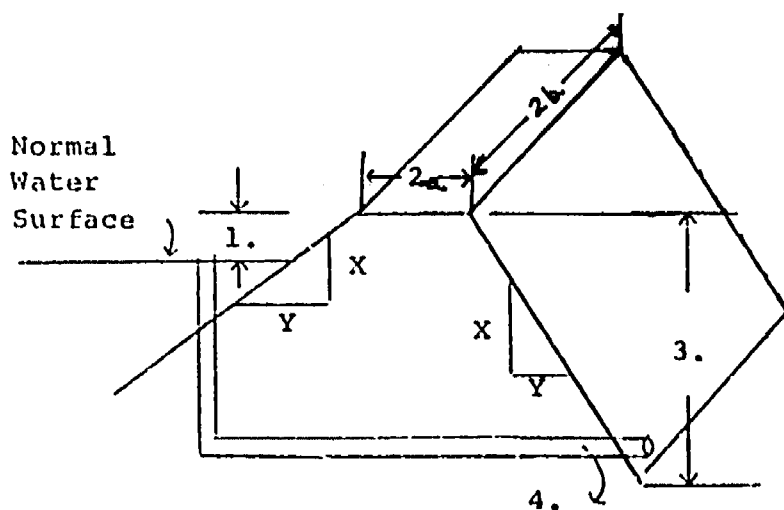
(2) Distance to nearest existing household or livestock watering well.

On same owner's property 80 rds.

On property owned by others 160 rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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 _____

Emil P. Zuehl
Signature of Applicant

CD4 - Clarno loam - 0-3% slopes
This soil is well drained to moderately well drained.
soil on uplands.

South Dakota State University
Brookings, South Dakota 57006

Submitted by: Emil Teub

Date Rec'd March 17, 1977

Address: Freeman, SD 57029

Sample No. 77-463

Identification Well-180'

WATER ANALYSIS

Calcium (Ca)	174	ppm*	8.70	me/l**
Magnesium (Mg)	35	ppm	2.87	me/l
Sodium (Na)	282	ppm	7.92	me/l
Potassium (K)	20	ppm	0.52	me/l
Sulfate (SO ₄)	734	ppm	15.27	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	17	ppm	0.48	me/l
Bicarbonate (HCO ₃)	268	ppm	4.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	220	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1665	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	3.29	Adj SAR	8.06	
Sodium	34.61	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.75			

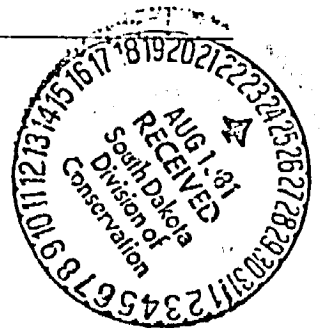
Others:

*ppm==parts per million

**me/l==milliequivalents per liter

***g.p.g.==grains per gallon

COMMENTS: Total cations 22.82 me/l
Total anions 20.15 me/l



By: Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-463

Amount Enclosed \$

Signed

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT EMIL ZEEB

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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

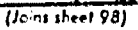
Te Tetonka, Tw Tetonka Whitewood

These are poorly drained depressional soils that will pond & cause traction problems when irrigating. These soils should be drained or left in permanent vegetation grass mixture. These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT

neg

CoA



3/80

Office Use Only

5340-111

4804-3

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Bill Webb

OWNERS ADDRESS: Rt. 2, Box 7

Greene, S.D.

COUNTY LAND LOCATED IN: Hutchinson

PHONE: 337-3430

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

Box 15, Menno, S.D. 587-5623

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)

T. WELL LOCATION OR DIVERSION POINT: center of NE 1/4, S. 13, T. 13, R. 53

2. SURFACE WATER SOURCE:

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
SE 1/4 of NE 1/4 13-97-58	40		
SE 1/4 SW 1/4 NW 1/4 13-97-58	8		
SE 1/4 of NW 1/4 13-97-58	3.5		

4. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: X GUN: OTHER:
(Specify)

5. CROPS TO BE IRRIGATED: corn, alfalfa, soybeans, small grain, pasture grass

6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1977

LEGAL DESCRIPTION: NONE & SWNE 13-27-58 : 21.7 A of SEW 13-27-58

IN WHAT NAME: Emil P. Zeeb memor. # 4020-3

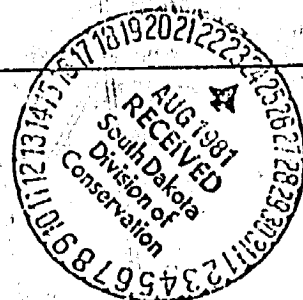
WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 77-463

8. SALINITY (EC X 10⁶): 166.5

9. SODIUM (SAR): 3.79

10. ADJUSTED (SAR): 8.08 (5.66)



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 1 PM a.m./p.m., on MARCH 13, 1977, at the following location: AL 1/2" A/E 1/4 13-97-58 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

15 DAY OF December, 1941.

(NOTARY PUBLIC)

I M P O R T A N T

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

APPLICANT'S SIGNATURE

Director, Division of Consery

APPROVED

DISAPPROVED

CONDITIONALLY APPROV



No. 4804-3

Publish first publication on or before October 28, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota, 57501

October 20, 1981

Notice is hereby given that Emil P Zenb whose post office address is: Rt 2, Box 76, Freeman, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 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, 46-5-25, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 0.74 cubic

feet of water per second of time from groundwater ^(one well existing) through the Zenb #1

the point ^(x) of diversion of which is ^(xxx) to be located in the

approximate center of NE 1/4

of Section 12, Twp. 97N, Range 58W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 NE 1/4 & S 1/4 NW 1/4, Section 13, T97N, R58W (to add additional acreage on an existing permit)

This Application No. 4804-3 will be considered by the Water Management Board at The Howard Johnson's Hotel 3300 West Russell, Sioux Falls, South Dakota upon the 2nd day of December, 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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRH, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

BETTY WESTLUND, Water Rights Specialist

cc: applicant

WNR-805A-10/81 Notice of Intent to Appropriate Water
GROUNDWATER

PROOF OF PUBLICATION

I, Allen Doring hereby
certify that the annexed printed copy of Notice of Intent to Appropriates
Water was taken from the Freeman Corwin

NOV 1 1981
DIVISION OF
WATER RIGHTS
Pierre, SD

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, South Dakota, prior to the hearing date for assistance to assure access to the hearing.

2nov4

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8415

PIERRE, August 7, 1981

RECEIVED OF Emil P. Zeeb, Rt. 2, Box 76, Freeman, SD 57029

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

Fee for Application for Permit to Appropriate Water No. 4804-3 (examination, processing, recording and filing)	150.00
Fee for inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	150.00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH / C.E.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

should be 4804-3

4904-3
Emil P Zeeb
Rt 2, Box 76
Freeman SD 57029

Dear Sir:

Water Permit No. 4804-3 was approved with the qualification that the Irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

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

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
823 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 1, 1983

NOTICE

4804-3

Emil P Zeeb
Rt 2, Box 76
Freeman SD 57029

Dear Sir:

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

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

be notified of this requirement.

Our records do not show we have received the 1982 Irrigation Questionnaire for Permit No. 4804-3. The questionnaire was requested on the following dates:

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

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

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

cc: Steven Mattler, Operator

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

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

March 23, 1987

STEVEN METTLER-OPERATOR
RR 1 BOX 17
MENNO, SD 57045

NOTICE

Re: Violation of Water Permit(s). 4804-3 and 1986 Irrigation
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4804-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit 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 Water Permit No(s). 4804-3 qualification:

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

The hearing will also be to determine if Permit No(s). 4020-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4804-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 4020-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.



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

NOTE: If the questionnaire(s) are received in this office before the 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.

cc: Emil P Zeeb
RR 2, Box 76
Freeman SD 57029

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

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

May 4, 1987

4020-3
4804-3

Steven Mettler, operator
RR #1 Box 17
Menno, SD 57045

Dear Mr. Mettler:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 4020-3 and 4804-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

cc: Emil Zeeb, RR #2 Box 76, Freeman, SD 57029

4804-3

South Dakota Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

STEVEN METTLER-OPERATOR
RR 1 BOX 17
MENNO, SD 57045

NOTICE

Re: Violation of Water Permit No(s). 4804-3 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4804-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit 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 Water Permit No(s). 4804-3 qualification:

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

The hearing will also be to determine if Permit No(s) 4020-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

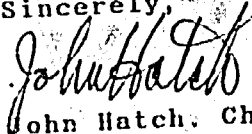
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 4804-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 4020-3 also held by STEVEN METTLER-OPERATOR to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 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.

CC: Emil Zeeb, RR #2 Box 76, Freeman, SD 57029

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

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

February 9, 1988

4020-3
4804-3

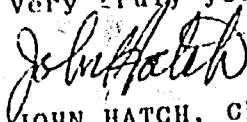
Steven Mettler, Operator
RR 1, Box 17
Menno SD 57045

Dear Mr. Mettler:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4020-3 & 4804-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

cc: Emil Zeeb
RR 2, Box 76
Freeman SD 57029



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

STEVEN METTLER-OPERATOR
RR 1 BOX 17
MENNO SD 57045

NOTICE

RE: Violation of Water Permit Nos 4020-3, 4804-3 and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 4020-3, 4804-3. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 4020-3 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) 4804-3 qualification:

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

The hearing will be held at 9.15 am, March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4020-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

Very truly yours,

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

cc: Emil Zeeb, RR #2 Box 76, Freeman, SD 57029



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

STEVEN HETTLER- OPERATOR
RR 1, BOX 17
MENNO, SD 57045

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 4020-3; & 4804-3

The first notice to file chemigation report(s) for Permit No(s) 4020-3; & 4804-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 4020-3; & 4804-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and 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 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 or up to three years for the 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). 4020-3; & 4804-3 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.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

cc: Emil Zeeb, RR #2 Box 76, Freeman, SD 57029



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1992

4020-3
4804-3

Steven Mettler, operator
RR #1 Box 17
Menno, SD 57045

Dear Mr. Mettler:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 4020-3 and 4804-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Emil Zeeb, RR #2 Box 76, Freeman, SD 57029



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1992

STEVEN METTLER- OPERATOR
RR 1, BOX 17
MENNO, SD 57045

Dear Mr. METTLER- OPERATOR:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No(s). 4020-3; & 4804-3. You may disregard the January 27, 1992 Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

A handwritten signature in cursive script that reads 'Don Frye'.

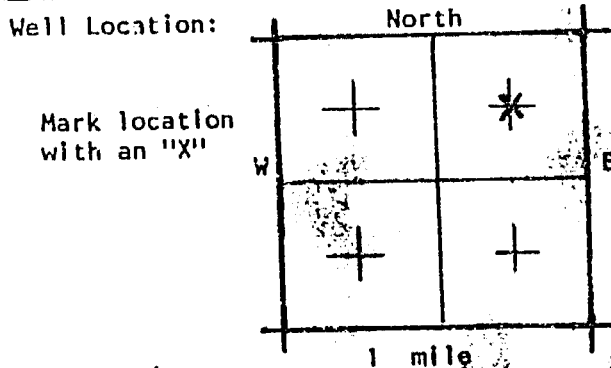
DON FRYE, Natural Resources Analyst
Water Rights Division

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

Well Owner: Name Emil Zeeb
Address Manno S.D.



County Hutchinson
T. 1 S. 1 E. Sec. 1 Rg. 21

Proposed Use:
☐ Domestic ☐ Industrial
☒ Irrigation

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

Well Construction:
Diameter of Hole 4
Depth 100
Casing ☐ Steel
☒ Plastic ☐ Other _____
If other, specify _____

Was casing end left open No
Was a well screen installed Yes
Describe Well Screen
Diameter 1 1/2 Material Steel
Slot size 100
Was well gravel packed Yes
Was water sample taken Yes

Remarks: .

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

Well Test Data:
☐ Pumped ☐ Bailed Describe
☐ Other
Pumping Level below Land Surface
 feet GPM
 " " " "

Well Log:

Formation	From	To
Gravel	0	50
Blue Clay	50	105
Gravel	105	135
Blue Clay	135	155
Gravel	155	200
Blue Clay	200	216
Blue Clay	216	216

(Use check if necessary)

Date Completed: June 18, 61

Driller: W. J. [Signature]
Driller's Office License No.

Address
Signed By W. J. [Signature] Date

Permit No. 4020-3 and 4804-3
James 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 Emil P. Zeeb of Rt. 2, Box 76, Freeman, SD 57029 holder of Permit No. 4020-3 and 4804-3, bearing the priority of May 13, 1977 and August 7, 1981 authorizing the diversion of 1.97 and 0.74 cu. ft. per second of the waters of for irrigation purposes, in Hutchinson County.

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

A. Works used to divert the water:

One well 216' deep with 196' of 15" plastic casing and 20' of stainless steel screen. Lister Deisel motor model no. SP 111 HP 2 and a Valley pump, capacity 800 gpm.

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

50' of 10" aluminum pipe.

C. Works used to apply water to beneficial use:

Valley Electric center pivot, 1320' long with an end gun, low pressure system with an 800 gpm capacity.

The system is in the following condition fair. The point of diversion is located 50' E of the center of the NE 1/4 Sec. 13-T97N-R58W. The works are capable of diverting and conveying to the place of use 1.78 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 13-T97N-R58W:

<u>NW 1/4 NE 1/4</u>	<u>35 acres</u>	<u>SW 1/4 NE 1/4</u>	<u>26 acres</u>
<u>NE 1/4 NE 1/4</u>	<u>35 "</u>	<u>SE 1/4 NE 1/4</u>	<u>35 "</u>

comprising a total of 131 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are:

Date: 6-29-93

Comments: The chemical injection port is located between the well head and the mainline check valve. Not the injection port, pressure line. Injection port located at about beyond check valve. 4-4-95 L.B.

Lynn Beck
 Lynn Beck

Natural Resources Engineer
 DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4804-3 and 4020-3

DATE: 6-29-93

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: 50' E of the center of the NE 1/4 Sec. 13-T97N-R57W.

WELL INFORMATION:

- 1) Well Drilling Firm: Dakota Boring
- 2) No. of Wells 1
- 3) Depth(s) 216 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 15 inches
- 2) Length 196 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length 20 feet
- 3) Static water level feet

Pump:

- 1) Make Valley
- 2) Model
- 3) Size
- 4) Capacity 800 GPM

Motor:

- 1) Make Lister Delsol
- 2) Model No. SP 111 HP 2
- 3) Horsepower rating hp

DISTRIBUTION LINES OR CANALS:

- 1) Type aluminum 2) Size 10 inches 3) Length 50 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Valley Electric
2) Overall length 1320 feet
3) Number of towers
4) Distance between towers feet
5) End gun Y
6) High or low pressure 40 psi
7) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y
2) Main line check valve Y
3) Inspection port/air relief Y
4) Low pressure drain Y
5) Discharge is 20' from source Y
6) Interlock type automatic, water driven
7) Injection pump type water driven
8) Injection check valve Y
9) Injection line check valve or positive displacement pump Y/N
10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules N Y
11) Comments : The chemical injection port is located between the well head and the mainline check valve. Not the injection port, pressure line. The injection port is located at the elbow beyond the check valve. 4-4-95 L.B.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
2) Special qualifications to permit being abided by Y

REDUCTION RATIO

ROLL NUMBER

DATE NOTIFIED

CALIFORNIA OPERATOR SIGNATURE

3) All structures, wells and lands on map Y

4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 5, 1995

Permit No. 4804-3

Emil P. Zeeb
Rt 2, Box 76
Freeman, SD 57029

Dear Mr. Zeeb:

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 Nos. 4020-3 and 4804-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 4020-3 will be incorporated into 4804-3.

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.

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

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.

RECEIPT

Division of Water Rights

414473

South Dakota Department of Environment and Natural Resources

Pierre, April 21, 19 95

RECEIVED OF Emil P. Zeeb, Rt 2, Box 76, Freeman, SD 57029

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>4804-3</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 *John H. Hedges*
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4804-3

(1) Emil P. Zeeb, Rt 2, Box 76, Freeman SD 57029 made Application No. 4804-3, August 7, 1981 for a water permit to appropriate 0.74 cubic feet of water per second from groundwater (one well), Hutchinson County, South Dakota for irrigation purposes. Permit No. 4804-3, with a priority date of August 7, 1981 was approved December 2, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 2, 1984 and for the application to beneficial use of said water on or before December 2, 1986.

The applicable portions of Water Permit No. 4020-3 have been incorporated into this Water License No. 4804-3. A priority date of August 7, 1981 (established under No. 4804-3) is retained for irrigation of 35 acres in the SE 1/4 NE 1/4 Section 13. A priority date of May 13, 1977 (established under No. 4020-3) is retained for irrigation of the remaining acreage.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 50 feet east of the center of the NE 1/4 Section 13-T97N-R58W.

(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:

Section 13-T97N-R58W	NW 1/4 NE 1/4	35 acres
	NE 1/4 NE 1/4	35 acres
	SW 1/4 NE 1/4	26 acres
	SE 1/4 NE 1/4	35 acres
	Total	131 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Emil P. Zeeb, Rt 2, Box 76, Freeman SD 57029 the holder and/or owner of Incorporated Water Permit No. 4804-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with priority dates of May 13, 1977 and August 7, 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 Incorporated Water Permit No. 4804-3 and subject to South Dakota State Law.



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

SEP 6 1995

date



4804-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 6 1995

4804-3

Emil P. Zeeb
Rt 2, Box 76
Freeman, SD 57029

Dear Mr. Zeeb:

Enclosed is Water License No. 4804-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414473 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. 4804-3, 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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 4020-3 have been incorporated into this Water License No. 4804-3.



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: STEVEN METTLER-OPERATOR, RR 1 BOX 17, MENNO, SD 57045
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 4804-3

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 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) 4804-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 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 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: EMIL F ZEEB, RR 2 BOX 76, FREEMAN, SD 57029

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.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mail piece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mail piece 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:

STEVEN METTLER-OPERATOR
RR 1 BOX 17
MENNO SD 57045

4a. Article Number

2 161 984 063

4b. Service Type

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

7. Date of Delivery

D-5 1-31-96

5. Receiver, By: (Print Name)**6. Signature: (Addressee or Agent)**

X *Steven Mettler*

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

Emil Zeeb
RR 2 Box 76
Freeman SD 57029

4a. Article Number

Z 161 984 064

4b. Service Type

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

7. Date of Delivery

1-31-96 JIV

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Emil Zeeb*



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: STEVEN MEITTLER, OPERATOR
MENNO, SD 57045

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

RE: Failure to Report Chemical Use under Water Permit No(s) 4804-3

The first notice to file chemigation report(s) for Permit No(s) 4804-3 was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 4804-3. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 402:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and 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 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 or up to three years for the 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). 4804-3 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 chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1996

4804-3

Emil Zeeb
RR 2 Box 76
Menno, SD 57045

Dear Mr. Zeeb:

Enclosed, as you requested, is a 1995 irrigation questionnaire and a 1995 chemigation report. These forms were originally mailed in October, 1995 to Steven Mettler, Menno, SD.

As I discussed with you during our phone conversation, when a problem arises with a specific water right, the owner is always notified. This is the reason you received a copy of the letter sent to Mr. Mettler regarding the violation.

If you wish to have the forms directed to your attention each year, rather than sent to an operator, please make a notation on the irrigation questionnaire and chemigation report when returning them to our office.

Please complete the enclosed forms and return them to our office prior to March 1, 1996. If you have any questions, please contact me.

Sincerely,

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

enclosures

4804-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 1996

4804-3

Steven Mettler
43112 282nd St
Menno SD 57045-6611

Dear Mr. Mettler:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire and information need for chemical reporting. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 4804-3 and the Notice of Failure to Report Chemical Use.

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

c: Emil Zeeb, RR 2 Box 76, Freeman, SD 57029

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

1. Article Addressed to:

Emil P Zeeb
RR 2 Box 76
Freeman SD 57029

A. Received by (Please Print Clearly) Emil Zeeb P. Date of Delivery 1-23-01
C. Signature [Signature] ☐ Agent
☒ Addressee
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2232

PS Form 3811, July 1999

Domestic Return Receipt

102593-00-M-0952

SENDER, COMPLETE THIS SECTION

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

1. Article Addressed to:

STEVEN METTLER-OPERATOR
43112 282ND ST
MENNO SD 57045 6611

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) STEVEN METTLER B. Date of Delivery 1-22-01
C. Signature [Signature] ☐ Agent
☒ Addressee
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2249

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: STEVEN METTLER-OPERATOR, 43112 282ND ST, MENNO, SD 57045 6611

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4804-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Ginny McMath at (605) 773-3352.

c: EMIL P ZEEB, RR 2 BOX 76, FREEMAN, SD 57029

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2001

4804-3

Steven Mettler
43112 282nd St
Menno, SD 57045-6611

Dear Mr. Mettler:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 4804-3.

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

c: Emil P Zeeb, RR 2 Box 76, Freeman, SD



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2003

4804-3

Emil P Zeeb
43426 28rd St
Freeman SD 57029

Dear Mr. Zeeb:

Thank you for contacting us about the pending ownership change for Water Right No. 4804-3.

Enclosed, is a partially completed Notice of Transfer of Ownership form for filing an ownership change. The form should be completed and signed by the new owner. Upon completion, the form will need to be returned to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2003

4804-3

Emil P Zeeb
43426 28rd St
Freeman SD 57029

Dear Mr. Zeeb:

Thank you for contacting us about the pending ownership change for Water Right No. 4804-3.

Enclosed, is a partially completed Notice of Transfer of Ownership form for filing an ownership change. The form should be completed and signed by the new owner. Upon completion, the form will need to be returned to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

4804-3

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAR - 7 2003

WATER RIGHTS
PROGRAMNo. 4804-3Date: 3-3-03I/We request that Water Right No. 4804-3formerly owned by: Emil P Zeeb, 43426 28rd St., Freeman SD 57029be transferred to: (name & address) MARK Allen Ulmer28862 435th Ave. Manno, S. D. 57045Telephone No. 605-387-5680

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

131 acres - NE 1/4 Section 13, T97N, R58W

I/We understand that the validity of Water Right No. 4804-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

Mark Allen Ulmer
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 7, 2003

RECEIVED OF Mark Ulmer, 2886 435th ave, Menno, SD 57045

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	2	50	
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>4804--3</u>			
Fee for _____			
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____			
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____			
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____			
(Any Other Work Provided by Law)	TOTAL		
	2.50		

No. 000680

By Darland Ebel
Chief Engineer gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 10, 2003

4804-3

Mark Allen Ulmer
28862 435th Ave
Menno SD 57045

Dear Mr. Ulmer:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee for transferring Water Right No. 4804-3. The transfer has been completed and the water right is now listed in your name.

Enclosed is your Receipt No. 000680 in the amount of \$2.50 which you paid for filing the ownership change. I have also included a copy of the water right and a sample copy of the annual irrigation questionnaire. You may keep these for your records.

If I can answer any questions for you, please contact me.

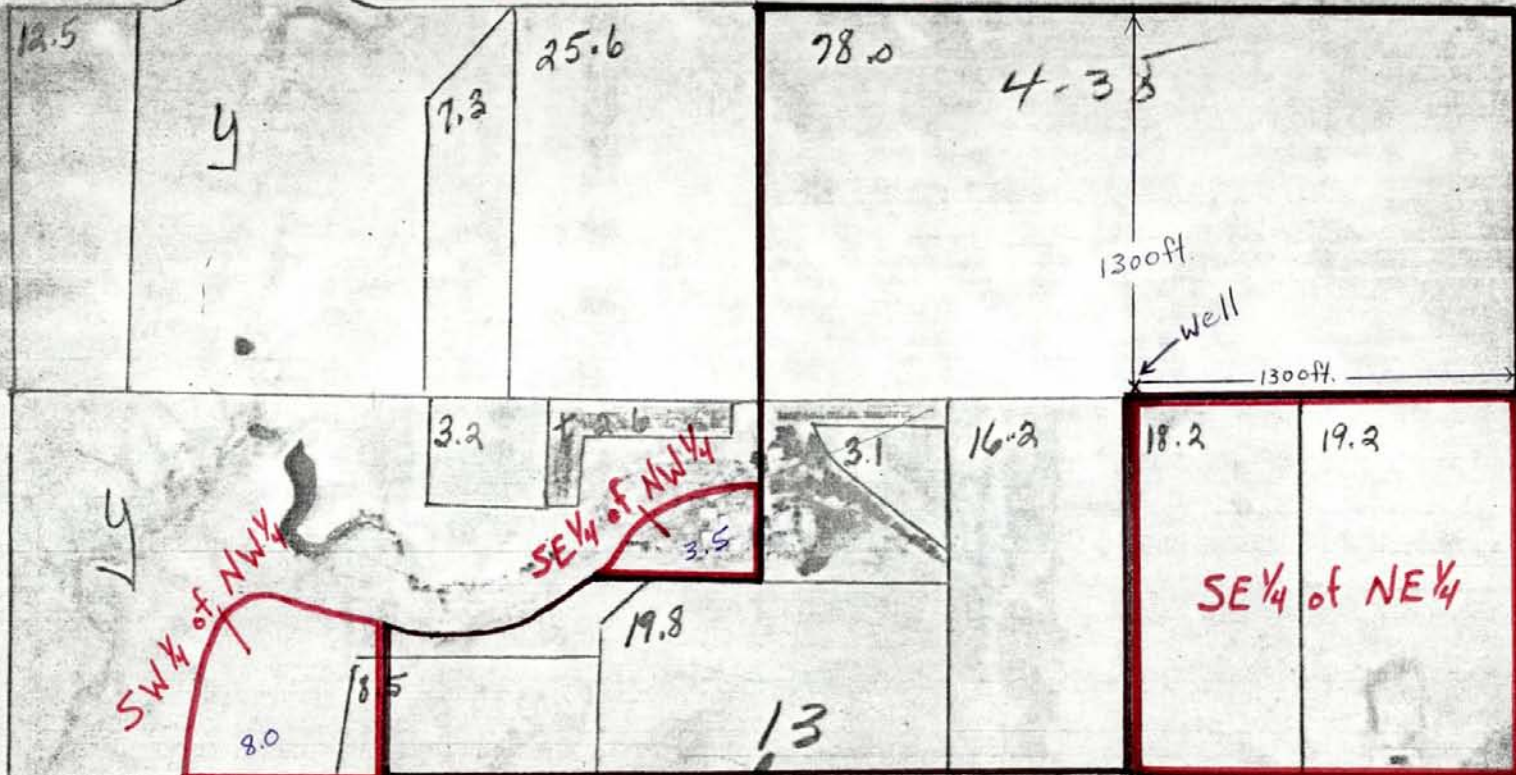
Sincerely,

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

enclosures

NOT TO SCALE

Sec. 13 T97N R58W



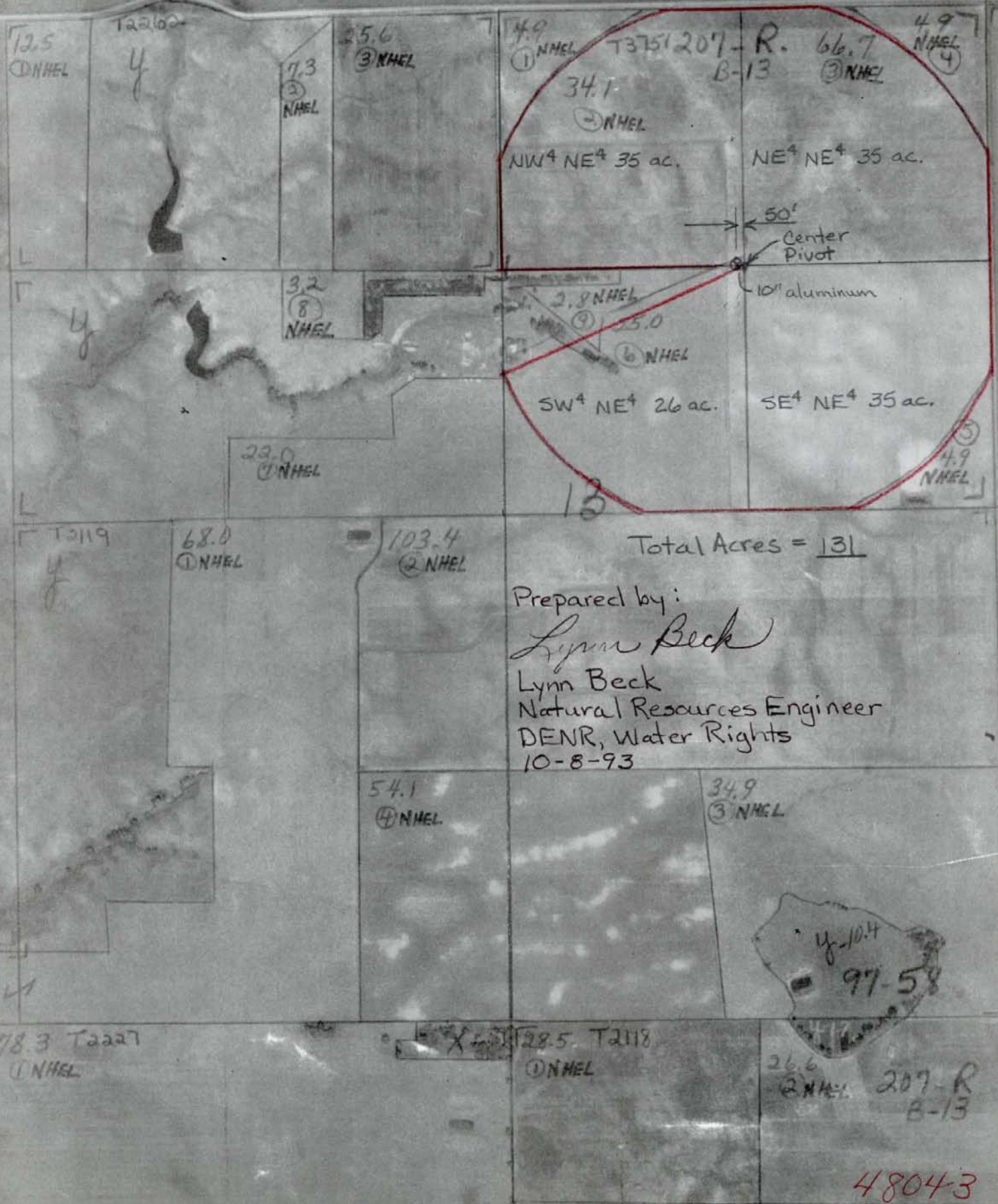
The area outlined in black is presently under Permit No. 4020-3. Wish to add the land outlined in red. All owned by Emil P. Zeeb.

97.58 ~~Map # 4013-3~~ ~~43264-187~~
App # 4804-3 $\frac{1}{2}$ 4020-3

~~Map # 4804-3~~ Dennis L. L. S.C.S.

4804-3
4020-3

NOT TO SCALE



4804-3



4804-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: MARK ALLEN ULMER, 28862 435TH AVE, MENNO, SD 57045

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 4804-3 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 11, 2008** 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) 4804-3 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 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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

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Track & Confirm

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Label/Receipt Number: 2303 2160 0000 0802 3653
Status: **Delivered**

Your item was delivered at 2:01 PM on January 19, 2008 in MENNO, SD 57045. The item was signed for by M ULMER.

[Additional Details >](#)[Return to USPS.com Home >](#)

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No FEAR Act EEO Data

FOIA



Seal of the United States Postal Service



Seal of the United States Postal Service

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 3653	
MARK ALLEN ULMER 28862 435TH AVE MENNO SD 57045	
Waiver of Signature ☐ YES ☐ NO	
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For inquiries: Access internet web site at www.usps.com or call 1-800-222-1811	
☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2008

4804-3

Mark Allen Ulmer
28862 435th Ave
Menno SD 57045

Dear Mr. Ulmer:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 4804-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 17, 2011

4804-3

Mark Allen Ulmer
453 E Heil St
Menno SD 57045-2113

Dear Mr. Ulmer:

Enclosed is a "Notice" dated October 14, 2011 concerning the 2011 irrigation questionnaire.

The notice was originally mailed to 28862 435th Ave, Menno 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



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: MARK ALLEN ULMER, 453 E HEIL ST, MENNO, SD 57045 2113

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 4804-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 4804-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 2012

4804-3

Mark Allen Ulmer
453 E Heil St
Menno SD 57045 2113

Dear Mr. Ulmer:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 4804-3. 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,

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

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



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: MARK ALLEN ULMER, 453 E HEIL ST, MENNO, SD 57045 2113
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4804-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
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JOE FOSS BUILDING
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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 23, 2013

4804-3

Mark Allen Ulmer
453 E Heil St
Menno SD 57045 2113

Dear Mr. Ulmer:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 4804-3. 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,

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

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



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: MARK ALLEN ULMER, 453 E HEIL ST, MENNO, SD 57045 2113
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3 & 7807-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 4804-3 & 7807-3 qualification:

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

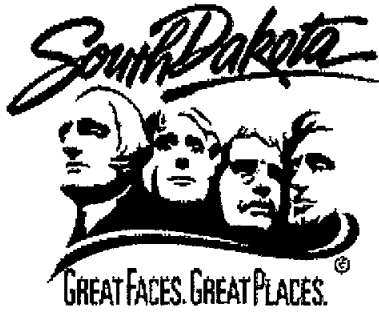
The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According 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) 4804-3 & 7807-3 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 before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 23, 2015

4804-3
7807-3

Mark Allen Ulmer
453 E Heil St
Menno SD 57045 2113

Dear Ulmer:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 4804-3 and Water Permit No. 7807-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4804-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: MARK ALLEN ULMER, 453 E HEIL ST, MENNO, SD 57045 2113

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 4804-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 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 before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



4804-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2019

4804-3

Mark Allen Ulmer
453 E Heil St
Menno SD 57045-2113

Dear Mr. Ulmer:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 4804-3. 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

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

4804-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: MARK ALLEN ULMER, 453 E HEIL ST, MENNO, SD 57045 2113

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 4804-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 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 before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: GIFGTD**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 31, 2023

4804-3

Mark Allen Ulmer
453 Heil St
Menno SD 57045-2113

Dear Mr. Ulmer:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 4804-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: MARK ALLEN ULMER, 453 E HEIL ST, MENNO, SD 57045 2113

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4804-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 4804-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4804-3 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 before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: CDEACY**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 21, 2025

4804-3

Mark A Ulmer
453 E Heil St
Menno SD 57045

Dear Mr. Ulmer:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4804-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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