

1. Considered: JUNE 9, 1982 Water Right No. 4886-3
2. Name of Applicant DUANE GAIKOWSKI
3. Post Office Address R.R. #1, Box 116, WAUBAY 57273
4. Amount of Water Claimed No ADD'L (2.0) maximum acre feet _____
5. Source of Water Supply 30' & 28' WELL
6. Water to be used for IRR acres to be irrigated No ADD'L (140)
7. County ROBERTS about 2 N miles _____ of ORTLEY
8. PROOF OF PUBLICATION: Received ✓ 5-20-82 Not Received _____
- APPLICATION: Approved 6/9/82 Subject to WI-1
- Not Approved _____ Action Deferred _____

PRIORITY 4-24-81 Dated Received 4-16-82 Application complete-yes _____ no _____ FEE 150⁰⁰

Remarks Add'l diversion on Permit # 4756-3

Corrected Application received _____ Period of Annual Use 4/1 to 10/31

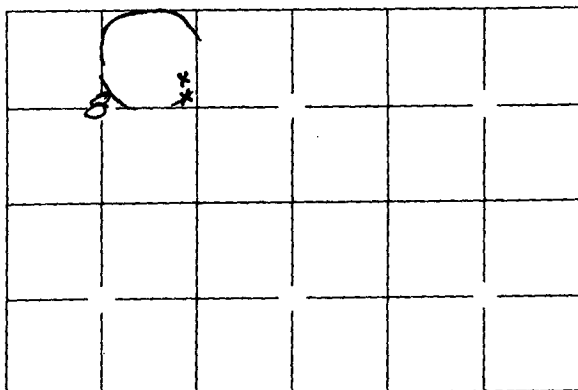
Received yes _____ no _____

see has been notified
APPROVED/CONDITIONAL (if correct one)

WI-1 Description same as application-yes _____ no _____

Remarks _____

Wells within CC Limit, same aquifer does not need WI-1 approval
no add'l cfs or change Returned _____



Diversion Points BOTH WELLS
SE⁴ NE⁴ SEC. 8-T122N-R52W

Land to be irrigated _____

NE⁴, SEC. 8-T122N-R52W

WELL LOG Driller Kaiser Well Works Licensed - yes ✓ no _____

Depth _____

Remarks 28' NEW DIVERSION 30' UNDER PERMIT 4756-3

MAP Map No. 4090-3 Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by Cons. District

+++++

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:

4-26-82

Betsy Wardman
 (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. 4886-3
 Map No. 4090-3 Water Division No. 3 JAMES RIVER District
 Above for Office Use 10160010

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 ☒ ON PERMIT No 4756-3Change in Acreage ☐ Additional Acreage ☐1. Name of Applicant Duane Gaikowski Phone No. 947-4623Post Office Address R.R. # 1 Box 116 AURAY State S. D. 57273
 (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) Employment of Others.3. Name of diversion work Gaikowski Irrigation System4. Amount of water claimed (cubic feet per second) 2 No ADD'L.5. Source of water supply 2 Wells6. Location of point of diversion Well # 1 3100 feet North and 350 Feet West of a point in the very SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 TWP 122 N and Range 52 W. Well # 2 2600 feet North and 350 feet west of a point in the Very SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8 County Roberts
TWP 122 N. Range 52 W.7. Annual period or periods during which water is to be used Spring, Summer and Fall8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 140 (No ADD'L)

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.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8-122-52	35
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8-122-52	35
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8-122-52	35
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8-122-52	35

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 5 years. Additional time required to complete application of water to the proposed beneficial use 2 7 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Sisseton Courier

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
2 WellsB. Works proposed to transport water to place of use.
Plastic pipe from well to center pivot.C. Works proposed to apply water to beneficial use.
Center Pivot Irrigation System.Estimated Total Cost \$ 60,000

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)
)ss.
 County of Roberts)I, Duane Gaikowski 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 Duane GaikowskiSubscribed and sworn to before me this 5 day of April, 1982My commission expires 11/21/85
WNR-802-7/79LaDonna Wallace
 Notary Public (or other qualified officer)
 LaDonna Wallace

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4886-3

DUANE GAIKOWSKI

(Applicant)

RR #1, Box 116, WAUBAY

(Post Office Address)

SOUTH DAKOTA 57273

(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 April 16, 1982

Date of return to applicant for correction, amendments or changes required April 20, 1982

Date of receipt of corrected application April 26, 1982

Approved June 9, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4886-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4886-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 24, 1981.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before December 9, 1984.
3. The whole of said work is to be completed on or before June 9, 1987.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is June 9, 1991.
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 no add'l 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 June 9, 1991; said water to be used during the following described

annual period: April 1st to October 31st

Witness my hand this 24th day of June, 1982

THE WATER MANAGEMENT BOARD

By:

John Katch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D. Well Information

Well # 1 18" 34'

(1) Drill Hole, Diameter Well # 2 18" 31'

Well # 1 Steel 14" 3/8"

(2) Casing, Type Well # 2 Steel 14" 3/8"

(wood, concrete, steel, etc)

Well # 1 Stainless steel 14" 10'

(3) Screen, Type Well # 2 Stainless steel 14" 6'

Well # 1 Steel 34'

(4) Gravel Pack, Thickness Well # 2 4" 31'

Length of gravel pack

E. Dugout Information or Estimates

(1) Surface dimensions, , Depth

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

(1) Water Bearing Materials. (Attach a copy of test well log)

Well # 1 1'

Depth to top of water bearing material Well # 2 1'

Well # 1 30'

Depth to bottom of water bearing material Well # 2 28'

Well # 1 3'2"

Depth to water (ground surface to water level) Well # 2 2'9"

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

Well # 1 230

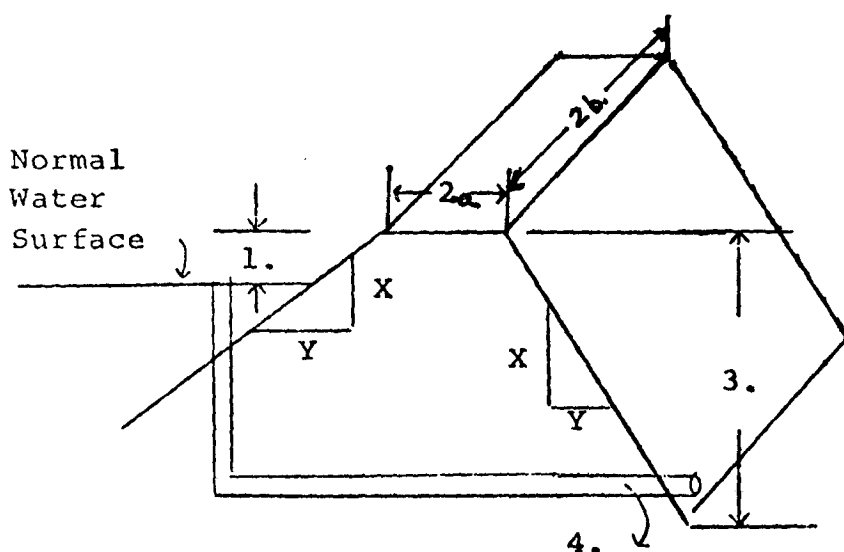
On same owner's property Well # 2 230 rds.

Well # 1 230

On property owned by others Well # 2 230 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

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8817

PIERRE, April 25, 1982

RECEIVED OF Duane Gaikowski, Box 116, Route #1, Waubay, SD 57273

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

Fee for Application for Permit to Appropriate Water No. 4886-3 (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

John Hatch

Chief Engineer, Executive Officer

Kaiser's Well Works De Smet, South Dakota 57231

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS

Ph. 854-8744

Name PAVE GAIKOWSKI

Location Waukegan, SD

Township _____

Section _____

			XI X obs. II

Test hole No. 1 north well

Data

Top soil	0 - 2'
yellow clay	2 - 3'
gravel	3 - 29'
Blue clay	29 - 40'
3-29- coarse material	
From 19' - 29'	
SWL 3' - 4'	
ground level	

Test hole No. 2

Data

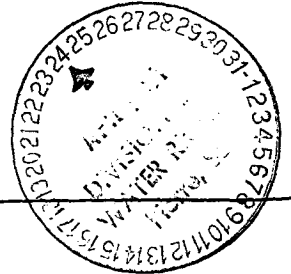
Top soil	0 - 3'
yellow clay	3 - 4'
gravel	4 - 16'
coarser gravel	16 - 26'
Blue clay	26 - 35'
SWL 3' - 2"	
ground level	
Driller: <u>Boyd J. Anderson</u>	

EMPIRE

IRRIGATION DRILLING CO.

FRANKFORT, SOUTH DAKOTA

PHONE 472-0384



DRILLING REPORT

Location of Well: Orley Twp. 1/4, NE 1/4, Section 8, Township _____, Range _____

Well to be drilled for: Duane Gai Kowski (Name) Waubay (Address)
Roberts (County) S. Dak (State)

Date well drilling started 4-10-81 finished 4-13-81

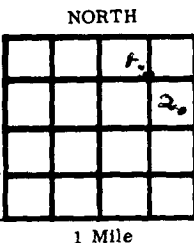
Purpose of well Irr. test holes
 (domestic, irrigation, industrial, other)

Depth 32 ft. Casing Diameter 2 1/2 inches

Slot Size _____ Screen Size _____

Screen Depth: From 22 ft. to 32 ft.

Remarks: Well pumped real well



REPORT OF FINAL PUMPING TEST

Write Additional Times and Readings on Back of Page

Elapsed Time From Start of Pumping		Water Level		Discharge
0 hr.	0 min.	<u>5</u> ft.	in.	(Static)
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	RECOVERY

Formation: Clay, Silt, Sand, Gravel, Color, Hard or Soft, etc.

Depth (ft.)
From To

Formation (Continued)

Depth (ft.)
From To

Top Soil 0 1
Sand 1 20
Clay 20 35
gravel 35 37
Clay 37 39
gravel 39 40
Clay 40 90

Top Soil 0 1
Sand-gravel 1 35
Clay 35 45

Cased this hole for water sample

Publish first publication, on or before May 13, 1982NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 27, 1982Notice is hereby given Duane Galkowski whose post office

address is RR#1, Box 116, Waubay, 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 (~~ground~~) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (~~future use~~) 46-5-38; (~~transfer lands~~) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (~~future use~~) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:03, for a permit to appropriate for beneficial use

No add'l cubic feet of water per second of time from groundwater (two wells-one existing) through the Galkowski Irrigation System/ to add an additional the point (a) of diversion) which on an existing permit; both wells is (are) to be located in the SE 1/4

of Section 8, Twp. 122N, Range 52W. Said water to be used for purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 8-T122N-R52W (these lands are covered under an existing permit)

This Application No. 4886-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 9th day of June, 1982.

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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County ROBERTS) ss.

I, JACK ADAMS hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the SISSETON COURIER

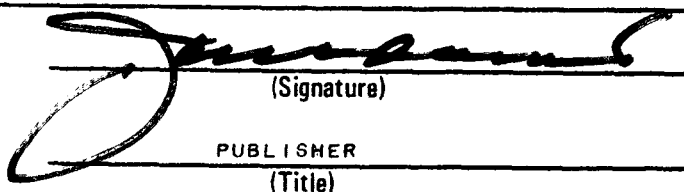
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

CITY of SISSETON

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

MAY 6, 1982

MAY 13, 1982


(Signature)
PUBLISHER
(Title)

MAY 13, 1982
(Date Signed)



Cost of Printing: \$23.98
77 LINES @ 17.3¢ FIRST ISSUE
80% SECOND ISSUE

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, SD 57501

April 27, 1982

Notice is hereby given Duane Gaikowski whose post office address is RR 1, Box 116, Waubay, 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 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-11, and 46-6-12 for a permit to appropriate for beneficial use no add'l. cubic feet of water per second of time from ground-water (two wells—one existing) through the Gaikowski Irrigation System to add an addition point of diversion on an existing permit; both wells are to be located in the SE 1/4 NE 1/4 of Section 8, Twp. 122N, Range 52W. Said water to be used for purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 8-T122N-R52W
(these lands are covered under an existing permit).

This Application No. 4886-3 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Bldg., Church & Illinois, Pierre, SD upon the 9th day of June, 1982 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, DWNR, 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

(May 6-13-2w)

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Box 116 WaukeyDate 12-6-82TO: Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4886-3.

Water Right Permit No. 4886-3 states that the diversion system is to be constructed by Kaiser Well Drilling and that the water is put to beneficial use by Duane G. Gikowski

The diversion system was completed on 6-14-82. Applying the water to beneficial use was completed on 6-20-82.

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

Duane G. Gikowski
(Signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 18, 1991

Kaiser Well Drilling
Ronald G. Kaiser
405 8th St SE
Watertown, SD 57201

Dear Mr. Kaiser:

Our records indicate that you may have drilled two irrigation wells for Duane Gaikowski of Waubay, SD. The wells are located in the NE1/4 of Section 8-T122N-R52W in Roberts County, I have not been able to find the as complete well logs for these production wells. I would appreciate it if you would check your files for the well logs and then send any information you have concerning these to me.

If you need any additional information, feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark D. Rath", is written over a light-colored background.

Mark D. Rath
Natural Resources Engineer II
Water Rights Division
(605) 773-3352



May 27, 1992

Enclosed is the fifty dollar fee
for Water license # 4886-3

Thank you.

Duane G. Dzikowski

Rt 1 Box 116

Waubay S.D.

57273

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ May 29, 19 92

RECEIVED OF Luane J Galkowski, Box 116, Naubay, SD 57273

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4886-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By Gale Hatch
Chief Engineer

Permit No. 4886-3 & 4756-3

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 Duane Gaikowski of Waubay, SD holder of Permit No. 4886-3, bearing the priority of 4/24/1981 authorizing the diversion of 2.0 cu. ft. per second ~~and/or the storage of 0 acre-feet~~ of the waters of ground water for irrigation purposes, in Roberts County.

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

A. Works used to divert the water:

Two Franklin submersible pumps each with a 400 gpm capacity.

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

1700 feet of 6" and 8" PVC pipe.

C. Works used to apply water to beneficial use:

A 1280' Valley center pivot with rainbird sprinklers and an end gun.

The system is in the following condition good. The point of diversion is located from the NE corner of Section 8-T122N-R52W (Res), Well 1 - 2200'S 350'W, Well 2 - 2550'S 350'W.

The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water ~~and/or storing 0 acre-feet of water~~ which is to be used for irrigation.

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

All land in Section 8-T122N-R52W (Res):

NW1/4 NE1/4 - 34 ac NE1/4 NE1/4 - 34 ac SE1/4 NE1/4 - 34 ac SW1/4 NE1/4 - 34 ac

comprising a total of 136 acres of land and the license should be issued for 1.78 cfs ~~and/or 0 acre-feet of storage.~~

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: none Date 8/27/1991



Mark D. Rath
Natural Resources Engineer II
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 4886-3 & 4756-3

1. Legal location of wells: from the NE corner of Section 8-T122N-R52W (Res), Well # 2200'S 350'W, Well #2 - 2550'S 350'W

2. Well Information: Well Drilling Firm Kaiser *No Log AVAILABLE*

Completion Report? Yes No *X* No. of Wells 2 Depth(s) 31, 34 feet

Casing a) diameter 14 inches Screen a) type Stainless steel

b) length 21 feet b) length 10 feet

c) type steel Static Water Level feet

Pump a) make Franklin Motor a) make Franklin

b) model submersible b) model no.

c) size c) horsepower rating 30

d) capacity 400 GPM d) serial no.

e) turbine pump - no. of stages

f) operating PSI 45

Casing a) diameter 14 inches Screen a) type stainless steel

b) length 22 feet b) length 12 feet

c) type steel Static Water Level feet

Pump a) make Franklin Motor a) make Franklin

b) model submersible b) model no.

c) size c) horsepower rating 30

d) capacity 400 GPM d) serial no.

e) turbine pump - no. of stages

f) operating PSI 45

3. Distribution lines or canals

a) size 6 and 8 inches

b) type PVC

c) length 350 and 1350 feet

5. System Type a) sideroll:

b) towline:

c) gun:

d) center pivot:

1) make

1) make Valley

2) nozzle size

2) number of towers 9

3) capacity (GPM)

3) distance between towers

4) hose size inches

4) overall length 1280feet

5) hose length feet

5) end gun (Y/N) y

e) gated pipe:

6) high or low pressure lo

1) length feet

7) make and size of nozzles:

2) diameter inches

rainbird

3) spacing of gates inches

8) capacity (GPM) 800

NOTE: For Permits with additional wells or changes in well locations,
record the following for each well: pumping capacity, date
constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project 4756-3

Yes No Check Items

Y 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 3. All structures, wells and lands on map?

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

N 5. Is chemigation used?

NA 6. If yes, does equipment comply with chemigation rules?

REMARKS:

NOT TO SCALE



4886-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4886-3

(1) Duane Gaikowski of RR 1, Box 116, Waubay, SD 57273 made Application No. 4886-3, April 16, 1982 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one additional well), Roberts County, South Dakota for irrigation purposes. Permit No. 4886-3 with a priority date of April 24, 1981 was approved June 9, 1982 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before June 9, 1987 and for the application to beneficial use of said water on or before June 9, 1991.

Water Permit No. 4886-3 authorized an additional diversion point for land irrigated under Water Permit No. 4756-3. No additional diversion rate or acreage were authorized by No. 4886-3.

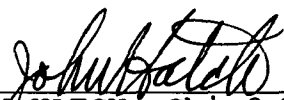
The applicable portions of Water Permit No. 4756-3 are incorporated into this Water License No. 4886-3.

(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 points are: Well #1 - 2200'S and 350'W; Well #2 - 2550'S and 350'W; both from the NE corner of Section 8, T122N, R52W (RES).

(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:

T122N, R52W Section 8 (RES)	NW 1/4 NE 1/4	34 Acres
	NE 1/4 NE 1/4	34 Acres
	SE 1/4 NE 1/4	34 Acres
	SW 1/4 NE 1/4	34 Acres
	Total-----	136 Acres

(4) Pursuant to Section 46-5-30.1 Duane Gaikowski of RR 1, Box 116, Waubay, SD 57273 the holder(s) and/or owner(s) of Incorporated Water Permit No. 4886-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (two wells) with a priority date of April 24, 1981 from the location specified in (2) of this license. The water is 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. 4886-3 and subject to South Dakota State Law.

 AUG 5 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 5 1992

4886-3

Duane Gaikowski
RR 1, Box 116
Waubay, SD 57273

Dear Mr. Gaikowski:

Enclosed is Water License No. 4886-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413230 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. 4886-3, 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

enclosures

NOTE: The applicable portions of Water Permit No. 4756-3 are incorporated into this Water License No. 4886-3.



4886-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: DUANE J GAIKOWSKI, RR 1 BOX 116, WAUBAY, SD 57273

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4886-3 & 5260A-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 4886-3 & 5260A-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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 4886-3 & 5260A-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 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

4886-3

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:

DUANE J GAIKOWSKI
RR 1 BOX 116
WAUBAY SD 57273

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Duane Gaikowski

B. Date of Delivery

1/17/02

C. Signature

x Duane J. Gaikowski

☐ Agent☐ AddresseeD. 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

7001 2510 0004 4797 4326

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2002

4886-3
5260A-3

Duane J Gaikowski
RR 1 Box 116
Waubay, SD 57273

Dear Mr. Gaikowski:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 4886-3 and 5260A-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



4886-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 17, 2003

NOTICE

TO: DUANE J GAIKOWSKI, RR 1 BOX 116, WAUBAY, SD 57273
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4886-3 & 5260A-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4886-3 & 5260A-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

- 1 Suspend or cancel Permit No(s) 4886-3 & 5260A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 28, 2003**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 2003

4886-3
5260A-3

Duane L Gaikowski
13872 450th Ave
Waubay SD 57273

Dear Mr. Gaikowski:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 4886-3 and 5260A-3.

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

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE

Conservation Plan Map
Roberts Conservation District
Duane Gaikowski
R.R. # 1 Box 116
Waubay, S.D. 57273
Roberts County, S.D.
Date Prepared 4-5-82
8" / Mi Scale 160 Acres
Prepared by *June Helgeson*

June Helgeson, Admin. Secy.
Roberts Conservation District

Gaikowski

73

142.3

204C

4" observation well

Well #1

Well #2

144

61

Roman

Gaikowski

Dean Gaikowski

Indian land

20.0

142.52

~~Map No. 4886-3~~
appl: 4886-3



4886-3

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 24, 2006

NOTICE

TO: DUANE J GAIKOWSKI, 13872 450TH AVE, WAUBAY, SD 57273

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4886-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 4886-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4886-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4930

Your item was delivered at 11:45 am on January 26, 2006 in WAUBAY, SD 57273. The item was signed for by D GAIKOWSKI.

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4930

DUANE J GAIKOWSKI
13872 450TH AVE
WAUBAY SD 57273

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**

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

January 30, 2006

4886-3

Duane J Gaikowski
13872 450th Ave
Waubay SD 57273

Dear Mr. Gaikowski:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 4886-3.

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



4886-3
**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 26, 2007

NOTICE

TO: DUANE J GAIKOWSKI, 13872 450TH AVE, WAUBAY, SD 57273

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4886-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 4886-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4886-3 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, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

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

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

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Search Results

Label/Receipt Number: 2303 2160 0000 0799 5814
Status: **Delivered**

Your item was delivered at 1:58 PM on January 27, 2007 in WAUBAY, SD 57273. The item was signed for by D GAIKOWSKI.

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DUANE J GAIKOWSKI 13872 450TH AVE WAUBAY SD 57273	
SIGNATURE CONFIRMATION NUMBER: 4188 2160 0000 0799 5814	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
	CHECK ONE (POSTAL USE ONLY) ☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel



**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 29, 2007

4886-3

Duane J Gaikowski
13872 450th Ave
Waubay SD 57273

Dear Sir:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 4886-3.

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**

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

January 9, 2008

4886-3

Greg Endres
2011 S Serenity Dr
Watertown SD 57201

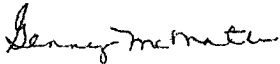
Dear Mr. Endres:

Thank you for calling in regard to ownership of land described in Water Right No. 4886-3.
I have enclosed a copy for your files.

Also enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it 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
email: genny.mcmath@state.sd.us

enclosures

RECEIVED

JAN 28 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4886-3

Date:

1/23/08

I/We request that Water Right No. 4886-3

formerly owned by: Duane Gaikowski

be transferred to: (name & address)

Gregory Endres
2011 S. Serenity Dr.
Watertown, SD. 57201 Telephone No. 605-882-1711
8324

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

136 acres - NE ¼ Section 8, T122N, R52W (RES)

I/We understand that the validity of Water Right No. 4886-3 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 Gregory Endres, the new owner, certify that the above information is true and correct.

Gregory Endres
(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 1/28, 20 08

RECEIVED OF Greg Endres 2011 S Serenity Dr Watertown SD 57201

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>4886-3</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	

No.

03423

By

Harold Erbe

Chief Engineer



**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 28, 2008

4886-3

Gregory Endres
2011 S Serenity Dr
Watertown SD 57201

Dear Mr. Endres:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee and the 2007 irrigation questionnaire for Water Right No. 4886-3.

The transfer has been completed. The water right, formerly held by Duane Gaikowski is now listed in your name.

Enclosed is your Receipt No. 03423 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this 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
email: genny.mcmath@state.sd.us

enclosure

4886-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 4886-3, Greg Endres

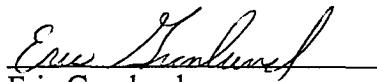
ADDRESS: COUNTY: Roberts County

DATE: August 12, 2010 TELEPHONE: 605 880-1711 (cell)

RE: Complaint from Delwin Pies regarding overspray from pivot

Mr. Delwin Pies called to file a verbal complaint with overspray and the waste of water by Mr. Greg Endres' pivot in the NE ¼ Section 8 of Ortle Township – Roberts County (T122N, R52W). He stated that water is being allowed to spray over the gravel road and on to his property. Mr. Pies stated that Mr. Endres committed this spring to keep the pivot from over spraying and said if there was a problem to just contact him. Mr. Pies is tired of having to contact the irrigator and is going to start contacting the state when a problem occurs. This is not the first year Mr. Pies has called to complain about overspray occurring. I told Mr. Pies I would follow-up and he gave me the phone number of 605 268 5466 to reach him.

I contacted Mr. Endres by his cell phone (880-1711). I informed him that Water Rights received a complaint regarding overspray from the pivot located in the NE ¼ Section 8, T122N, R52W. He asked if it was the north or east section and I said I did not know. He said they have been working to adjust the stops on that pivot which has proved to be troublesome. He committed to adjusting the stop mechanism to prohibit overspray if it is occurring. I told him that we are going to get continuing complaints unless he can get the stops properly adjusted. He understood.



Eric Gronlund

Water Rights Program, DENR



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 2010

Greg Endres
2011 S Serenity Drive
Watertown SD 57201

Delwin Pies
45187 138th Street
Waubay SD 57273

Dear Mr. Endres and Mr. Pies:

On August 12, 2010, Mr. Pies called the Water Rights Program stating that water from the pivot in the NE ¼ Section 8, T122N, R52W (Ortley Township) is spraying on the gravel road and on to his neighboring property. In response, Mr. Endres was contacted by the Water Rights Program regarding this issue and the need to limit direct irrigation to only the acres he owns and that are authorized by the water right. Mr. Endres stated that he would look into the matter immediately in an effort to adjust the stops to eliminate direct overspray.

The Water Rights Programs' enforcement in this type of matter applies only to direct irrigation of land not listed on the water right. It does not apply to incidental wind drift that can occur on occasion.

This letter is being sent to both parties and will be filed on the administrative record for Water Right No. 4886-3.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Gronlund".

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Gronlund, Eric

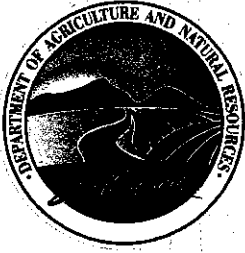
From: Gronlund, Eric
Sent: Monday, July 22, 2013 10:58 AM
To: Goodman, Jeanne; Rath, Mark; Duvall, Ron; Buhler, Ken
Subject: ongoing complaint on irrigation overspray in Roberts County

Monday morning received a call from Delwin Pies in Roberts County regarding neighboring irrigators allowing their systems to overspray on to roads and his property. This has been somewhat of an annual call in which I then call the irrigators and tell them to go check their endgun stops to make sure they are functioning properly.

1. According to Mr. Pies, Water Right No. 4886-3 owned by Greg Endres for irrigation of the NE ¼ Section 8, T122N, R52W has been spraying on to the road making for dangerous travel and damage to road. He said direct irrigation spray is also going on to his property. In past years he has made the distinction that this is not wind drift but direct irrigation. I called Greg Endres (880-1711) to ask that he check the system. He asked when the overspray occurred because the location of the pivot has not been such that it would have occurred in the last few days. He stated he would go out and check to make sure the endgun stops are functioning properly. The pivot is coming back around to the road location and should be there this afternoon or this evening and we are welcome to come out and verify he is not irrigating the road or Mr. Pies' property. He stressed that they have been trying to be real careful knowing Mr. Pies is watching.
2. The primary reason for the call was the irrigation by Duane Gaikowski under Water Permit No. 7073-3 in Section 5, T122N, R52W. There are four various sized pivots in this section. He stated that the pivot in the NE ¼ of Section 5 is irrigating on his property and applied water upon his hay bales. Attempts thus far to contact Mr. Gaikowski have been unsuccessful but in the past he's called back in once he's seen the caller ID number.

Mr. Pies second complaint regarded the pivot in the SE ¼ of Section 5. He had Gaikowski's supply pipeline surveyed in for the pivot in the SE ¼ of Section 5 and part of the pipeline is on his property. This is the north-south line bisecting the W ½ SE ¼ (Gaikowski) and the E ½ SE 1/4 (Pies). Based on the map submitted with the application it does not appear the pivot should be near the property boundary. Therefore, I believe that when a staff engineer is in the area, a licensing investigation should be conducted to see how the systems are set-up. The time to complete construction of work is January 2, 2014 so he's about at the time to have the permit licensed anyway.

Eric



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

4886-3

August 24, 2023

Greg Endres
2011 S Serenity Drive
Watertown SD 57201

Dear Mr. Endres:

The irrigation season is in full swing. This has led to the Department of Agriculture and Natural Resources (DANR) fielding inquiries regarding end gun overspray on to roads. This is a reminder that a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right.

DANR received an inquiry alleging the irrigation system located in the NE 1/4 Section 8-T122N-R52W had irrigation water from the end gun hitting the road and onto a neighbor's property. The water right for this system is held in your name under Water Right No. 4886-3.

Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road. If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at ron.duvall@state.sd.us

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DANR

FILING NO. 4886-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right 4886-3, Greg Endres

ADDRESS: 2011 S Serenity Drive, Watertown SD 57201 COUNTY: Roberts County

DATE: August 24, 2023 TELEPHONE: 1 605 880 1711

RE: irrigation overspray

Received a call from Delwin Pies that the irrigation system in the NE ¼ Section 8, T122N, R52W was spraying on to the road and his property.

I called Greg Endres. He indicated that he leases that ground to another person and will contact them to check it out. He said the system has the Ag Sense controller so seemed surprised it would not be functioning properly.

NAME: Eric Siglund