

No. 4890-3
 Map No. 4094-3 Water Division No. 3 JAMES RIVER District
 Above for Office Use 16160003

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 2580-3
 Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Steven Engelhart Phone No. 329-2137
329-2165
 Post Office Address Box 7 Barnard State S. Dak. 57426
 (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) Employ others3. Name of diversion work Private wells4. Amount of water claimed (cubic feet per second) 1.8 cfs (800 gpm) (No ADD'L) EW5. Source of water supply WELLS

6. Location of point of diversion WELL No. 1 - 70' W & 1550' S of NE corner Sec. 21-126-63.
WELL No. 2 - 70' W & 650' S of " " " " "

NOTE: LOCATIONS ARE APPROXIMATE.County BROWN7. Annual period or periods during which water is to be used April 1 - September 318. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 133 (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.

Land Description	No. Acres Irr.
<u>NE 4-21-126-63</u>	<u>133</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 months ⁵ years. Additional time required to complete application of water to the proposed beneficial use 1 1/4 years.

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

12. Principal Features of the Proposed Water Supply System.

NEWS.

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

WELLS & PUMPS

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

UNDERGROUND PIPELINE

C. Works proposed to apply water to beneficial use.

CENTER PIVOT SPRINKLER IRRIGATION SYSTEM (EXISTING)(2 New Wells & Pipeline) - Estimated Total Cost \$ 25,000

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 Brown)

I, Steven Engelhart 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 Steven EngelhartSubscribed and sworn to before me this 5th day of March, 1980

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4890-3

STEVEN ENGELHART

(Applicant)

Box 7, BARNARD

(Post Office Address)

SOUTH DAKOTA 57426

(State)

With the following qualifications.

The irrigation wells approved under this Permit are located near domestic 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 existing domestic wells.

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

Date of first receipt of application March 8, 1982
Date of return to applicant for correction, amendments or changes required , 19
Date of receipt of corrected application WQ May 10, 1982
Approved October 7, 1982, Recorded in Book Page

WATER RIGHT PERMIT NO. 4890-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4890-3 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 May 10, 1982.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before April 7, 1985.
3. The whole of said work is to be completed on or before October 7, 1987.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 7, 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 1,80 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 October 7, 1991; said water to be used during the following described annual period: April 1 to September 31

Witness my hand this 13th day of October, 1982

THE WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued , 19

Water License Issued , 19

D Well Information

(1) Drill Hole, Diameter 12 3/4", Depth 52' Well ①
 (2) Casing, Type Plastic, Diameter 8", Thickness .037 Well ②
 (3) Screen, Type Plastic-Ever-Flow, Diameter 8", Length 20' 300 PSI
 (4) Gravel Pack, Thickness 1", Length of gravel pack Full

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 22' - 39' Well ①
 Depth to bottom of water bearing material 52' - 68' Well ②
 Depth to water (ground surface to water level) 14'0" - 18'5"

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

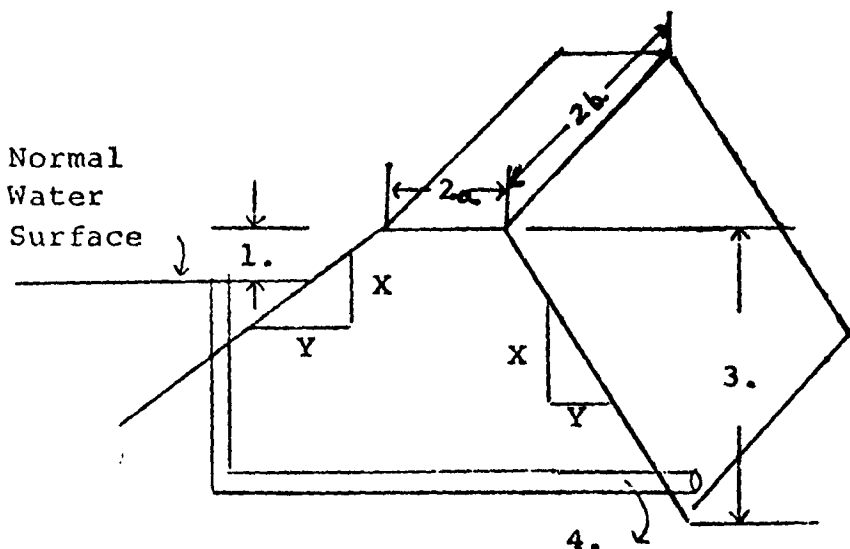
On same owner's property _____ rds.

On property owned by others Well ① 90 rds. Well ② 100 rds.

G Water Storage Dams

N/A

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 _____

Both Wells Have identical construction.
 Depth & Static only difference.

Steven Engelhart
 Signature of Applicant

CONDITIONAL APPROVAL

#3040

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT: Steven Engelhart

LEGAL DESCRIPTION: NE 1/4 21-126-63

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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

**The Tonka soils should be drained or kept in grass or a
grass alfalfa mixture to prevent problems with ponding.**

RECOMMENDED MANAGEMENT:

Steven Engelhart
SIGNATURE

2-2-82
DATE

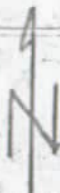
8-16.

Advance Information
Subject to Change
USDA - SCS

R63W.

T 1 2 6 N	16	15
	21	22

Steven Engelhart



NE 4-21-126-63
SCALE 3.2 inches = 1 mile

Prepared by
USDA, Soil Conservation Service
Gary D. [unclear], Dist. Eng.
3/82

March 19, 1982

Steven Engelhart
Box 7
Barnard, SD 57426

Dear Mr. Engelhart:

Enclosed is your copy of the laboratory report of analysis for water sample No. 82-0002. This report is yours to keep.

As I stated in my letter dated January 19, 1982, water sample No. 82-0002 is classed as a high saline, low sodic water. It is suitable for irrigation.

The Hanerly, Barnes-Svea loams, and the Barnes-Cresbard-Tonka complex found in the NE 1/4 of Section 21-126-63 are compatible with the quality of your water. However, the Tonka spots scattered throughout the NE 1/4 may pond under irrigation. Persistent wet spots should be maintained in grass or a grass/alfalfa mixture.

If a rising water table does occur under irrigation, please contact your county extension agent or this office for assistance.

The WI-1, soils information and water analysis are being forwarded to the Division of Conservation for their action.

Sincerely yours,

Michael H. Sanders
Water Quality Lab
Division of Conservation

MHS:ckb

Enclosures

cc: Division of Conservation
D. Pahl, Extension Service
Division of Water Rights



Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name: STEVEN ENGELHARFE Date Rec'd Jan 12, 1982
Address Box 7 Sample No. 82-0002
BARNARD SD 57425 Identification Well
126N 63W 21 a

WATER ANALYSIS

Calcium (Ca)	120	ppm*	5.99	me/l**
Magnesium (Mg)	43	ppm	3.54	me/l
Sodium (Na)	106	ppm	4.61	me/l
Potassium (K)	13	ppm	0.33	me/l
Sulfate (SO4)	262	ppm	5.45	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	46	ppm	1.30	me/l
Bicarbonate (HCO3)	439	ppm	7.20	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Flouride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.30	ppm		
Hardness (EDTA asCaCO3)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			14.47	me/l
Total Anions			13.95	me/l
Alkalinity (Methyl Orange)	360	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	1250	micromhos per cm at 25 C		
Sodium Adsorption Ratio	2.11	Adjusted SAR	5.53	
Sodium	31.36	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.30			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS

By: Shirley Mittan

Service Performed:

Irrigation Analysis

Total Cost: \$28.00

Amount Received: 28.00

Balance Due: 0.00

Make checks payable to: "SDSU Water Quality Lab"

Please write lab number on your check!

Lab No. 82-0002

REPORT OF ANALYSIS

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8772

March 17

82

PIERRE, _____, 19__

Steven Engelhart, Barnard, South Dakota 57426

RECEIVED OF _____

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

Fee for Application for Permit to Appropriate Water No. 4890-3 238831 (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
JOHN HATCH/ms

March 16, 1982



Dear Sir:

Enclosed ~~are~~ the well logs for the two new wells. These two new wells will be my only source of water for irrigation. The other two wells that were formerly being used will be abandoned because they have corroded shut from iron bacteria. We've tried to correct these wells several times but the problem just keeps getting worse. The only thing that will be used from the way it is now is the underground pipeline for the transfer of water to the center pivot.

I have purchased this land from Mr. Wells and I intend to pay all necessary charges. So you might as well send Mr. Wells' money back.

I have enclosed the check that you sent back. I hope this is adequate. If there is anything else you need to know just contact me.

Sincerely,
Steve Engelhart

P.S. To contact me by phone
call 329-2137

STATE OF NORTH DAKOTA
BOARD OF WATER WELL CONTRACTORS
900 E. BOULEVARD • BISMARCK, NORTH DAKOTA 58501

WELL DRILLER'S REPORT

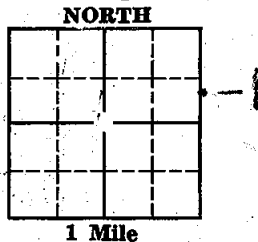
State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

WELL OWNER

Name Steve Englehart
Address Barnard S.D.

2. WELL LOCATION

Sketch map location must agree with written location.



County BROWN
NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 Twp. 126 N. Rg. 63 W.

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Industrial
☐ Stock ☐ Municipal ☐ Test Hole

4. METHOD DRILLED

☐ Cable ☐ Reverse Rotary ☐ Bored
☒ Forward Rotary ☐ Jetted ☐ Other
If other, specify _____

5. WATER QUALITY

Was a water sample collected for chemical analysis?
☐ Yes ☒ No
If so, to what laboratory was it sent _____

6. WELL CONSTRUCTION

Diameter of hole 12 7/8 inches. Depth 53 feet.

Casing: ☐ Steel ☒ Plastic ☐ Concrete
☒ Threaded ☐ Welded ☐ Other

If other, specify class 200

Pipe Weight: Diameter: 8" From: +2' To: 39'
____ lb/ft. _____ inches _____ feet _____ feet
____ lb/ft. _____ inches _____ feet _____ feet
____ lb/ft. _____ inches _____ feet _____ feet
____ lb/ft. _____ inches _____ feet _____ feet

Was perforated pipe used? ☐ Yes ☒ No

Length of pipe perforated _____ feet

Was casing left open end? ☐ Yes ☒ No

Was a well screened installed? ☒ Yes ☐ No

Material Plastic E. C. 15 Diameter 8" inches
(stainless steel, bronze, etc.)

Slot size 60 set from 39 feet to 53 feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Was a packer or seal used? ☐ Yes ☒ No

If so, what material _____

Type of well: Straight screen ☐ Gravel packed ☒

Was the well grouted? Yes ☐ No ☐

To what depth? _____ feet

Material used in grouting _____

Well head completion: Pitless adapter _____

_____ above grade _____ Other _____

_____ specify _____

Disinfected upon completion? ☐ Yes ☐ No

7. WATER LEVEL

Static water level 15 feet below land surface

If flowing, closed-in pressure _____ psi

GPM flow _____ through _____ inch pipe

Controlled by: ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Pumping level below land surface:

_____ ft. after _____ hrs. pumping _____ gpm

_____ ft. after _____ hrs. pumping _____ gpm

_____ ft. after _____ hrs. pumping _____ gpm

9. WELL LOG

Production Well No. 1

Formation	Depth (ft.)	
	From	To
Topsoil	0	1
Fine brown clayey sand	1	10
clay	10	16
Dr. oxidized gravel	16	19
clay	19	25
Gr. sand	25	30
Gr. med. sand w/		
light & scattered		
grains	30	53
Gr. silt	53	

(Use separate sheet if necessary.)

10. DATE COMPLETED 3-5-82

11. WAS WELL PLUGGED OR ABANDONED?

☐ Yes ☐ No

If so, how _____

12. REMARKS: SCREENED 39-53

13. DRILLER'S CERTIFICATION

This well was drilled under my jurisdiction and this report is true to the best of my knowledge.

M E W Drilling 87

Driller's or Firm's Name Certificate No.

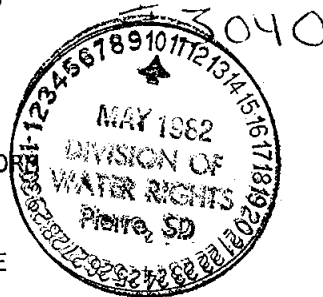
1266 N 22nd, Bismarck, ND

Address

Joe Husted 3-16-82

Signed by Date

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



OWNERS NAME: Steven Engelhart OWNERS ADDRESS: Barnard, S. D.
COUNTY LAND LOCATED IN: Brown PHONE: 329-2165 57426
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.
This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 SE 1/4 NE 1/4 Sec 21-126-63
 2. SURFACE WATER SOURCE Well - NE 1/4 NE 1/4 NE 1/4 Sec 21-126-63
 3. LOCATION OF AREA TO BE IRRIGATED: NE 1/4 Section 21-126-63
 4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
- TYPE OF IRRIGATION: (Show approximate acres under each type of system) :
5. GRAVITY — TOWLINE — CENTER PIVOT 133 GUN — OTHER (Specify) —
 6. CROPS TO BE IRRIGATED Corn, alfalfa, soybeans
 7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1976
LAND: NE 1/4 Sec 21-126-63
IN WHAT NAME: Harold Wells transferred to Steven Engelhart

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

8. SAMPLE NUMBER: 82-0002
9. SALINITY (EC X 10⁶) 1250
10. SODIUM (SAR) 2.11 ADJUSTED (SAR) 5.53

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 back) were followed, and that the sample was taken at 1:00 A.M. (P.M.), on January 5, 1982, at the following location: NE 1/4 Section 21-126-63, by Steven Engelhart (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 also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Brown County Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

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 March, 1982

Seward Blomse
(NOTARY PUBLIC)

Steven Engelhart
APPLICANT'S SIGNATURE

Jack M. Fyfe
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

RECEIVED

MAR 23 1982

South Dakota
Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

January 10, 1979

Harold A. Wells
Frederick, SD 57441

Dear Mr. Wells:

On August 9, 1978 in the process of making the final inspection on your Water Right Permit No. 2580-3 I found that you have two wells whereas your permit calls for only one well. I discussed the matter with members of the Water Rights Staff and they say you will need to submit an application for the second well in order to comply with the South Dakota Water Laws.

Enclosed is a completed Form 2 "Application for Permit to Appropriate Water" for you to check over, make any corrections that are necessary, sign the form and return it to this office with a check for \$150.00 for filing the application. Also enclosed is a Form 2A for you to fill out for the second well. We will also need a log of the second well. (Also enclosed is a map of the area being irrigated, please check over and make any corrections.)

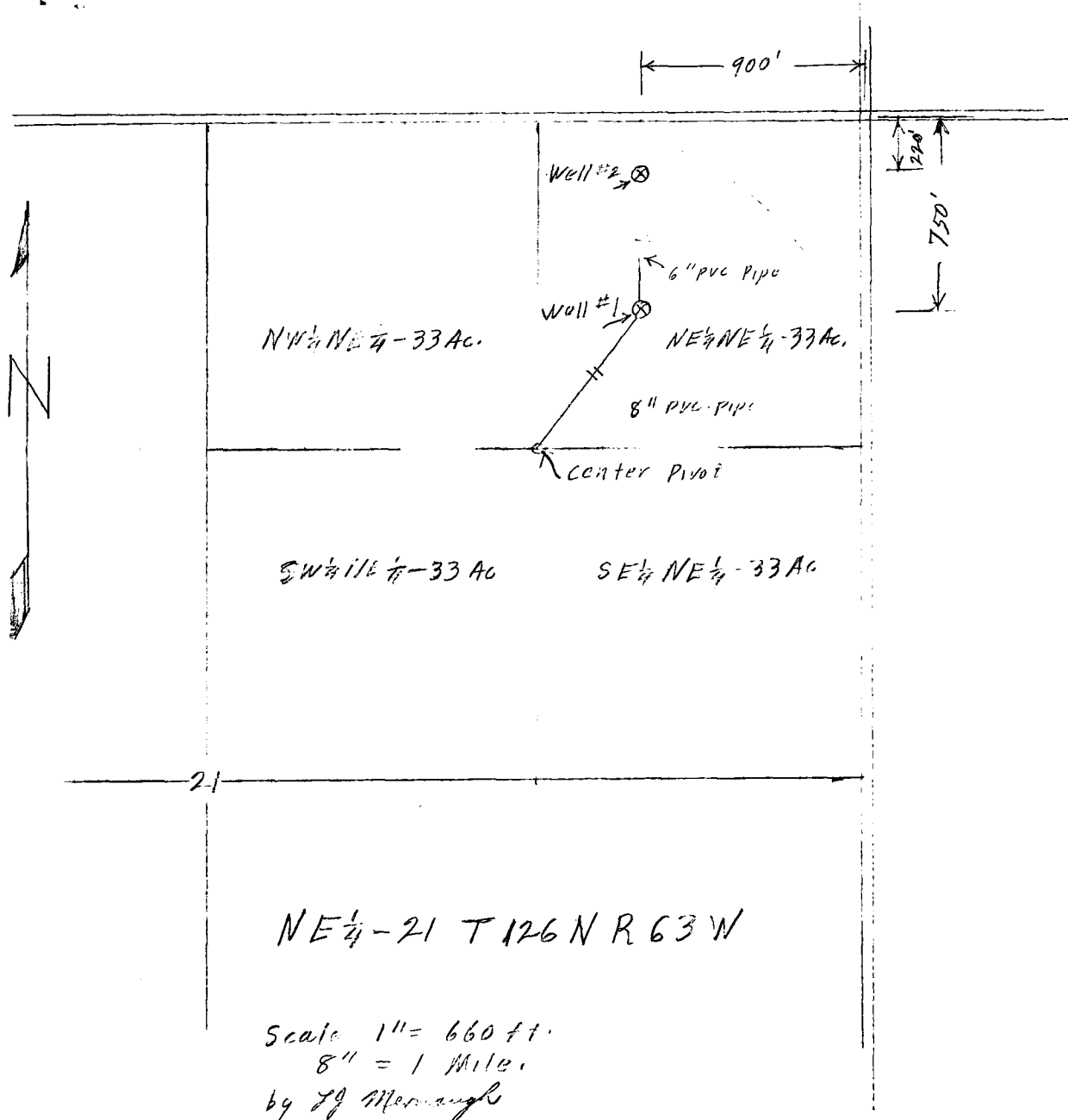
If you have any questions, please feel free to contact this office.

Sincerely,

LEROY J. MERNAUGH
Water Resources Engineer

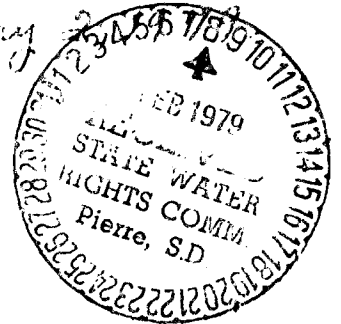
LJM/gy

encl



Harold Wells.
Brown County.

Frederick, S Dak
February 23, 1979



Water Rights Commission

Pierre, S.D.

Regarding your letter of Jan 16-1979

Gentlemen:

In my "Application for Permit to appropriate water" filed February 13, 1976 with your office I specified 1.95 Cubic feet of water per second of ground water on lines 4 and 5 of the application. There was no mention as to the number of wells required to obtain this water nor was there any questions on your part as to the number of wells drilled. A fee of \$8.00 was sent at that time which paid the filing fee in full.

Bonanza Valley Drilling Co. completed drilling the wells Aug. 1 - 1976 at which time the well logs were sent in by the driller.

When I completed installing the system and finished using it in 1977 I returned your Form 18 - "Notice of Completion of Works and Application of Water" along with your data sheet for recording irrigation.

Since all my applications and other papers were filed in 1976 when the fee was \$8.00, I do not think I should now be charged the 1979 fee of \$50.00
(over)

If you do not have the small logs etc you requested
what can I do? since the original logs were filed in
1976?

I am willing to file an amended application if necessary
but I do not think I should have to pay the 1979
fee for permits issued properly in 1976. since we
have the same or of area with the same amount of water.

Sincerely
Harold Wells

Regarding Permit No. 2580-2

February 20, 1979

Harold Wells
Frederick,
SD 57441

Dear Mr. Wells:

In answer to your letter received February 8, 1979, regarding the application for an additional diversion on your Permit No. 2580-3. The original application, and map received in this office and subsequently advertised for hearing, was for one well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21-T126-R63W. The Water Rights Commission approved the application as submitted.

The final inspection revealed two wells therefore an application must be submitted for the second diversion point. The minimum fee required on State Statutes for the application is \$150.00.

We are enclosing a copy of your permit, log and WI-1 for your information. If you have any questions please contact this office.

Very truly yours,

JOHN HATCH; Chief Engineer
Water Rights Commission

JH/BW/plh

Enclosures

October 30, 1979

Mr. Harold Wells
Frederick, SD 57441

Dear Mr. Wells:

As of this date we have not received your application for the additional well on your application 2580-3. If you plan on using the well for irrigation in 1980 a permit must be acquired for the additional diversion.

Sincerely,

BETTY WESTLUND
Water Rights Specialist I

DW/bt



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

September 3, 1981

Harold Wells
Frederick SD 57441

Dear Mr. Wells:

On January 10, 1979 a completed application with follow up letters in February and October of 1979 were sent to you to bring your water right Application No. 2580-3 into conformance with State Laws. In reviewing our files this has not been done as of this date.

In answer to your letter of February 8, 1979, there was some confusion during that time by the applicants, well drillers and equipment suppliers as to the necessity of specifying the number of wells on an application.

You were present at the March 17, 1976 meeting of the Water Resources Commission, when the application was approved. The minutes, your application and the map show only one 50' well as being approved.

Your Permit No. 2580-3 is subject to suspension for illegal pumping for a period of one year if it is not brought into compliance with State Laws before the 1982 irrigation season.

Enclosed is another completed application for you to check over, make any corrections, sign, notarize and return to this office with a \$150 filing fee. Also enclosed is our Form 2A for you to complete for the second well. We will need a signed drillers log of the well also.

It will not be necessary to send another water sample for soil/water compatibility but you will have to complete a WI-1 form. Contact the State Conservation Commission for forms and instructions, Anderson Bldg., Pierre SD.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:kw

enclosure

cc: Martin Gertonson
State Conservation Comm

Equal Opportunity Employer

I have mailed the \$150.00 fee under separate cover.
The well driller is the same company that drilled the
other well. They were both drilled the same time
and they filed a well log with the state for both
wells at the same time. I am unable now to get
~~another~~ signed log from them.

I am signing and returning both Form 2
and W11.

Sincerely
Harold Wells



HAROLD WELLS
Houghton, S.Dak. 57449

Houghton, S.D.
Feb. 24, 1982

Gentlemen:

I am enclosing a check for \$150.00 for the second well on my irrigation system. My Water Right Permit no. is 2580-3.

I have always felt and I still believe I am being incorrectly assessed this additional \$150.00 fee, since for the first 3 years everything was in order. I will send the water analysis report as soon as I receive it.

Sincerely
Harold Wells

Water Rights Division

(605) 773-3352

March 1, 1982

Harold Wells
Houghton, South Dakota 57449

Dear Mr. Wells:

Your application for a permit to appropriate water was not received with the filing fee. Enclosed are completed forms, please check, sign and return to this office.

A log of the well, signed by a South Dakota licensed well driller must be submitted with the application.

Your receipt No. 4 8738 is the amount of \$150.00 is on file.

Sincerely,

Betty Westlund
Water Rights Specialist

BW:ms
Enc.

Water Rights Division
605 773-3352

March 3, 1982

Harold Wells
Houghton
South Dakota 57449

Dear Mr. Wells:

Enclosed please find your application for a Permit to Appropriate Water. The application needs to be notarized and returned to this office.

The Soil/Water Compatibility Form submitted with your application has been forwarded to the State Conservation Commission for their consideration.

Your receipt No. 4 8738 in the amount of \$150 is on file with our office.

Upon receipt of the notarized application and the Soil/Water Compatibility Approval from the State Conservation Commission further processing of your application will proceed.

Sincerely,

KAREN SCHLAAK
Administrative Secretary

enclosure

WATER RIGHTS DIVISION (605) 773-3352

March 10, 1982

Steven Engelhart
Box 7
Barnard, South Dakota 57426

Dear Mr. Engelhart:

We have received from you an application to appropriate 1.8 cfs of water to irrigate the NE $\frac{1}{4}$, Section 21, T-126N, R-63W along with a check for \$152.50. The check is to cover the filing fee for the additional diversions and \$2.50 for a transfer of Permit No. 2580-3 in the name of Harold Wells to your name.

In 1978 we notified Mr. Wells he needed to apply for the additional well. (On your map it is the "not used existing well") We sent the application forms etc. to him. On March 3, 1982 we returned the application, we had received March 1, 1982, for his signature. We also received a \$150.00 filing fee. (Our Receipt #4-8738). The Soil/Water Compatibility WI-1 form received was sent to the State Conservation Commission. (It had not been signed either)

We are returning your check #400 in the amount of \$152.50. The following information will be required before we can further process this application.

1. Have you purchased this land from Harold Wells? We will need \$2.50 to process this Transfer.
2. Are you contemplating two additional wells to be added to Permit No. 2580-3, making a total of three wells?
3. We have checked with the State Conservation Commission's office and since the five year development period on the Permit has passed a new water sample will be required. For the forms and instructions, contact Martin Gertonson, State Conservation Commission, Anderson Building, Pierre, South Dakota 57501, phone No. 773-3259.
4. If you are going to pay the \$150.00 filing fee, should we return Mr. Wells' money?
5. Also logs of the new wells, signed by a South Dakota licensed well driller must be submitted with the application. We have checked our files and we do not have the drillers logs.

Steven Engelhart
Page 2
March 10, 1982

Upon receipt of the above information further processing of your application will proceed. If you have any questions please contact this office.

Sincerely,

Sincerely,

Betty Westlund
Water Rights Specialist

BW:ms

Enc.

cc: Martin Gertonson
State Conservation Commission



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 773-3352

No. 4890-3

May 10, 1982

Peter O Schmitt
AMERICAN NEWS
Aberdeen SD 57401

Dear Mr. Schmitt:

Enclosed is a Notice of Intent to Appropriate Water by Steven Englehart

Application No. 4890-3, in Brown County, South Dakota. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on, or before May 21, 1982.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. The applicant is to pay the cost of publication and should make the necessary arrangements with you to pay these costs.

Please receipt for this notice IMMEDIATELY after first publication attaching thereto a copy of the first publication so that it may be compared with the records. For your convenience, you may use the printed form below for this purpose.

After final publication, please complete and mail to this office, the enclosed Form 8 to furnish Proof of Publication. The permit to appropriate water cannot be issued until this proof of final publication is received. This Proof of Publication must be filed within 60 days of this notice for the applicant to retain his priority.

For the Water Management Board,

Encl: Forms 6 & 8

cc: Applicant

BETTY WESTLUND, Water Rights Specialist

No. 4890-3

Date _____

TO: Water Rights Division
Joe Foss Building
Pierre, SD 57501

We are in receipt of your letter of _____, 19____ enclosing Notice of Proposed Appropriation of Water, as proposed in Application No. _____ which was first published in our issue of _____, 19____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____

NEWSPAPER _____

WNR-807-4/82



No. 4890-3

Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 733-3352

May 10, 1982

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Steven Engelhart
Box 7
Barnard SD 57426

Dear Mr. Engelhart:

You are hereby notified that your Application No. 4890-3 for a permit to appropriate water for irrigation use, has been examined and found to comply with the water laws of South Dakota and the regulations thereunder. A notice of your intent to appropriate water has been sent to the

Publisher of the AMERICAN NEWS printed at Aberdeen, South Dakota. For your information, a copy of this notice is enclosed.

BE SURE TO CONTACT THE LEGAL AD DEPARTMENT OF THE ABOVE NEWSPAPER TO AUTHORIZE PUBLICATION OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT. EARLY CONTACT WITH THE PAPER CAN ELIMINATE DELAYS IN PRINTING THE NOTICE AND TRANSMITTAL OF PUBLICATION NOTICES TO THIS OFFICE. THE PUBLISHER HAS BEEN INSTRUCTED ON WHAT DATES HE IS TO PUBLISH THE NOTICE OF YOUR APPROPRIATION OF WATER ONCE EACH WEEK FOR TWO CONSECUTIVE WEEKS PRIOR TO THE WATER MANAGEMENT BOARD MEETING WITH THE LAST PUBLICATION TO OCCUR AT LEAST FOUR LEGAL BUSINESS DAYS BEFORE THE BOARD MEETING. ANY INTERMEDIATE SATURDAY, SUNDAY OR LEGAL HOLIDAY DOES NOT COUNT AS A LEGAL BUSINESS DAY. AT LEAST THE FIRST PUBLICATION NOTICE MUST BE RECEIVED PRIOR TO THE WATER MANAGEMENT BOARD MEETING FOR THE HEARING TO BE CONDUCTED.

You should know that the Publisher is to furnish proof of publication to the Water Management Board within 60 days of the date of this letter, otherwise South Dakota Statute requires that your application lose its priority until proof of publication is received in proper form.

For the Water Management Board

BETTY WESTLUND
Water Rights Specialist

Encl. Forms 6 & 7 and receipt No.
4 8772 in the amount of \$150

WNR-805-4/82
Publication Notice

Publish first publication, on or before May 21, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 10, 1982Notice is hereby given Steven Engelhart whose post office

address is Box 7, Barnard, 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) 46-5-35 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:11~~ ^{is in} ~~(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) through the private wells, to change ^{on an existing permit of} the point (s) of diversion/which

~~is-(are)~~ to be located ~~in the~~ as follows, Well #1 - NE 1/4 NE 1/4 and Well No. 2

SE 1/4 NE 1/4 both in

Section 21, Twp. 126N, Range 63W. Said water to be used for purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 21, T126N, R63W (land covered under previous permit)

This Application No. 4890-3 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, DWNR, 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

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

ss.

Lori Noltner

BEING DULY SWORN, ON HIS OATH SAYS:

That the ABERDEEN AMERICAN NEWS is a DAILY newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned, that affiant is an employee and principal clerk of said publisher and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice to Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each week for 2 successive weeks.
The first publication being made on the 21st day of May 1982
The second publication being made on the 28th day of May 1982
The third publication being made on the _____ day of _____
The fourth publication being made on the _____ day of _____
The fifth publication being made on the _____ day of _____
The sixth publication being made on the _____ day of _____
The seventh publication being made on the _____ day of _____
The eighth publication being made on the _____ day of _____
The ninth publication being made on the _____ day of _____

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 33.50, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Lori Noltner

Subscribed and sworn to before me this _____ 28th _____ day of

May 1982

Ella Jaaska

Notary Public, Brown County, S. D.

My commission expires 7-13-87

daily circulation 21,005

(Legal No. 142 — May 21, 28 — 2T)
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

NOTICE is hereby given Steven Engelhart whose post office address is Box 7, Barnard, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-2 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; 46-6-13; 46-6-14, and Board Rules ARSD 74:02:01.01 thru 74:02:01.15, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from groundwater (two wells) through the private wells, to change, the point (s) of diversion on an existing permit of which (are) to be located as follows, Well No. 1 - NE 1/4 NW 1/4 and Well No. 2 SE 1/4 NE 1/4 both in Section 21, Twp. 126N, Range 63W. Said water to be used for purposes of providing irrigation on portions of the following described land: NE 1/4, Section 21, T126N, R63W (land covered under previous permit).

This Application No. 4890-3 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, DWRN, 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

By _____

9:26 AM
received
B.W.
6/9/82



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 773-3352

No. 4890-3

June 14, 1982

Peter O. Schmitt
American News
Aberdeen, South Dakota 57401

Dear Mr. Schmitt:

Enclosed is a Notice of Intent to Appropriate Water by Steven Engelhart

Application No. 4890-3, in Brown County, South Dakota. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on, or before June 25, 1982.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. The applicant is to pay the cost of publication and should make the necessary arrangements with you to pay these costs.

Please receipt for this notice IMMEDIATELY after first publication attaching thereto a copy of the first publication so that it may be compared with the records. For your convenience, you may use the printed form below for this purpose.

After final publication, please complete and mail to this office, the enclosed Form 8 to furnish Proof of Publication. The permit to appropriate water cannot be issued until this proof of final publication is received. This Proof of Publication must be filed within 60 days of this notice for the applicant to retain his priority.

For the Water Management Board,

Encl: Forms 6 & 8
cc: Applicant

BETTY WESTLUND, Water Rights Specialist

No. _____

Date _____

TO: Water Rights Division
Joe Foss Building
Pierre, SD 57501

We are in receipt of your letter of _____, 19____ enclosing Notice of Proposed Appropriation of Water, as proposed in Application No. _____ which was first published in our issue of _____, 19____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____

NEWSPAPER _____

WNR-807-4/82



No. 4890-3

Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 733-3352

June 14, 1982

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Steven Engelhart
Box 7
Barnard, South Dakota 57426

Dear Mr. Engelhart:

You are hereby notified that your Application No. 4890-3 for a permit to appropriate water for irrigation use, has been examined and found to comply with the water laws of South Dakota and the regulations thereunder. A notice of your intent to appropriate water has been sent to the

Publisher of the American News printed at Aberdeen, South Dakota. For your information, a copy of this notice is enclosed.

BE SURE TO CONTACT THE LEGAL AD DEPARTMENT OF THE ABOVE NEWSPAPER TO AUTHORIZE PUBLICATION OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT. EARLY CONTACT WITH THE PAPER CAN ELIMINATE DELAYS IN PRINTING THE NOTICE AND TRANSMITTAL OF PUBLICATION NOTICES TO THIS OFFICE. THE PUBLISHER HAS BEEN INSTRUCTED ON WHAT DATES HE IS TO PUBLISH THE NOTICE OF YOUR APPROPRIATION OF WATER ONCE EACH WEEK FOR TWO CONSECUTIVE WEEKS PRIOR TO THE WATER MANAGEMENT BOARD MEETING WITH THE LAST PUBLICATION TO OCCUR AT LEAST FOUR LEGAL BUSINESS DAYS BEFORE THE BOARD MEETING. ANY INTERMEDIATE SATURDAY, SUNDAY OR LEGAL HOLIDAY DOES NOT COUNT AS A LEGAL BUSINESS DAY. AT LEAST THE FIRST PUBLICATION NOTICE MUST BE RECEIVED PRIOR TO THE WATER MANAGEMENT BOARD MEETING FOR THE HEARING TO BE CONDUCTED.

You should know that the Publisher is to furnish proof of publication to the Water Management Board within 60 days of the date of this letter, otherwise South Dakota Statute requires that your application lose its priority until proof of publication is received in proper form.

For the Water Management Board

BETTY WESTLUND
Water Rights Specialist

Encl. Forms 6 & 7

WNR-805-4/82
Publication Notice

Publish first publication, on or before June 25, 1982NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 14, 1982Notice is hereby given Steven Engelhart whose post office

address is Box 7, Barnard, 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~~) 46-5-33, (~~premier lands~~) 46-5-22 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 AKA) 74:02:01:01 thru 74:02:01:02, for a permit to appropriate for beneficial use

No Additional cubic feet of water per second of time from Groundwater (Two wells) through the Private wells, to change on an existing permit of Le (are) to be located in the as follows, Well No. 1-NE $\frac{1}{4}$ NE $\frac{1}{4}$ and Well No. 2-SE $\frac{1}{4}$ NE $\frac{1}{4}$, both in

of Section 21, Twp. 126N, Range 63W. Said water to be used for purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$, Section 21-T126N-R63W. (land covered under previous permit)

This Application No. 4890-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Meeting Room #1, Knapp Bldg. Church & Illinois, Pierre SD upon the 28th day of July, 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

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

ss.

Lori Noltner BEING DULY SWORN, ON HIS OATH SAYS:

That the ABERDEEN AMERICAN NEWS is a DAILY newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned, that affiant is an employee and principal clerk of said publisher and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice to appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each week for 2 successive weeks.
The first publication being made on the 25th day of June 1982
The second publication being made on the 2nd day of July 1982
The third publication being made on the _____ day of _____
The fourth publication being made on the _____ day of _____
The fifth publication being made on the _____ day of _____
The sixth publication being made on the _____ day of _____
The seventh publication being made on the _____ day of _____
The eighth publication being made on the _____ day of _____
The ninth publication being made on the _____ day of _____

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 35.09, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Lori Noltner

Subscribed and sworn to before me this _____ 2nd _____ day of

July 19 82

Ella Jaaski

Notary Public, Brown County, S. D.

My commission expires 7-13-87

daily circulation 21005

(No. 239 — June 25, July 2 — 2T)
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
June 14, 1982

Notice is hereby given Steven Steven Engelhart whose post office address is Box 7, Barnard, 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; 46-6-10; 46-6-13; 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from groundwater (two wells) through the private wells, to change, the point(s) of diversion on an existing permit of which are to be located as follows, Well No. 1-NE 1/4 NE 1/4 and Well No. 2-SE 1/4 NE 1/4, both in Section 21, Twp. 126N, Range 63W. Said water to be used for purpose of providing irrigation on portions of the following described land: NE 1/4, Section 21-T 126N-R 63W. (land covered under previous permit). This Application No. 4890-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol, Pierre, SD, upon the 28th day of July, 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

Bj

Rec 7-28-82

4890-3

WATER RIGHTS DIVISION (605) 773-3352

August 5, 1982

Steven Engelhart
Box 7
Barnard, South Dakota 57426

Dear Mr. Englehart:

This is to verify our phone call on August 5th, enclosed for your information is a copy of the corrected advertising for your Permit No. 4890-3. We will take care of newspaper charge. This is just a correction on the advertising requirements to bring your permit into compliance with the State Statutes.

We are sorry for the confusion but to avoid a problem in the future it should be taken care of as soon as possible. It will not be necessary for you to attend the meeting.

If you do have any questions feel free to call.

Sincerely,

Betty Westlund
Water Rights Specialist

BW:ms
Enc.

Publish first publication, on or before August 20, 1982

AMENDED
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
August 5, 1982

To bring the advertising requirements into compliance with the State Statutes, the following notice is being re-advertised. This notice does not propose additional water rights.

Notice is hereby given Steven Engelhart whose post office address is Box 7, Barnard 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, 46-6-13, 46-6-14, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use

1.80 cubic feet of water per second of time from groundwater (two wells)

through the Private wells to change a, point of diversion and add an additional point of diversion on an existing Permit which are to be located as follows: Well #1 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ and Well #2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$ both in

Section 21, Twp. 126N, Range 63W. Said water to be used for purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$, Section 21 - T126N - R63W

This Application No. 4890-3 will be considered by the Water Management Board at meeting room #1, Kneip Building, Church & Illinois, Pierre, South Dakota upon the

7th day of October, 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, DWNRR, 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-806-2/82

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

ss.

Lori Noltner BEING DULY SWORN, ON HIS OATH SAYS:

That the ABERDEEN AMERICAN NEWS is a DAILY newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned, that affiant is an employee and principal clerk of said publisher and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed Water Right Steven Engelhart

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each week for 2 successive weeks.
The first publication being made on the 18th day of August 1982
The second publication being made on the 25th day of August 1982
The third publication being made on the _____ day of _____
The fourth publication being made on the _____ day of _____
The fifth publication being made on the _____ day of _____
The sixth publication being made on the _____ day of _____
The seventh publication being made on the _____ day of _____
The eighth publication being made on the _____ day of _____
The ninth publication being made on the _____ day of _____

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 38.28, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Lori Noltner

Subscribed and sworn to before me this 25th day of

August 1982

Ella Janssen

Notary Public, Brown County, S. D.

My commission expires 7-13-87

daily circulation 21,005

(No. 361 — Aug. 18 & 25 — 27)
AMENDED
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
August 5, 1982

To bring the advertising requirements into compliance with the State Statutes, the following notice is being re-advertised. This notice does not propose additional water rights.

Notice is hereby given Steven Engelhart whose post office address is Box 7, Barnard, 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, 46-6-13, 46-6-14, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use, 1.80 cubic feet of water per second of time from groundwater (two wells) through the Private wells to change a point of diversion and add an additional point of diversion on an existing Permit which are to be located as follows: Well No. 1 - NE 1/4 NE 1/4 and Well No. 2 - SE 1/4 NE 1/4 both in Section 21, Twp. 126N, Range 63W. Said water to be used for purpose of providing irrigation on portions of the following described land: NE 1/4, Section 21 - T126N - R63W.

This Application No. 4890-3 will be considered by the Water Management Board at meeting room No. 1, Kneip Building, Church & Illinois, Pierre, South Dakota upon the 7th day of October, 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, DWRN, Joe Pass Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.
For the Water Management Board
By BETTY WESTLUND, Water Rights Specialist



SOUTH DAKOTA
Department of
Water & Natural Resources

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

STEVEN ENGELHART
RR #1 BOX 18
FREDERICK, SD 57441

NOTICE

Re: Violation of Water Permit No(s) 4890-3 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4890-3. 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). 4890-3 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) 2580-3 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.

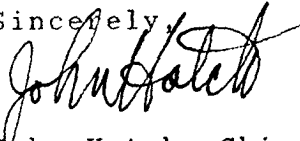
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 4890-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 2580-3 also held by STEVEN ENGELHART 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,

A handwritten signature in cursive script, appearing to read "John Hatch".

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.



Department of Water & Natural Resources

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

February 29, 1988

2580-3
4890-3

Steven Engelhart
RR 2, Box 18
Frederick SD 57441

Dear Mr. Engelhart:

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. 2580-3, 4890-3 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,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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



Department of Water & Natural Resources

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

February 8, 1989

STEVEN ENGELHART
RR #1 BOX 18
FREDERICK, SD 57441

NOTICE

RE: Violation of Water Permit No(s). 4890-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4890-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4890-3 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. 2580-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

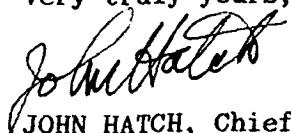
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4890-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 2580-3 also held by STEVEN ENGELHART to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



J
SOUTH
Dakota Department of
Water & Natural Resources

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

February 24, 1989

2580-3

4890-3

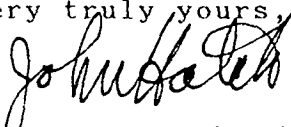
Steven Engelhart
RR #2 Box 10
Frederick, SD 57441

Dear Mr. Engelhart:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 2580-3 and 4890-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

#2580-3

#4890-3

February 21, 1989

Steven Engelhart
RR 1, Box 10
Frederick, SD 57441

Dear Mr. Engelhart:

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

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

The new standards include:

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



February 21, 1989
Engelhart
page 2

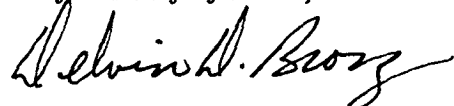
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

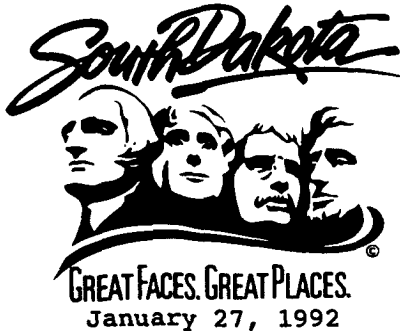
The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division



4890-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

STEVEN ENGELHART
RR #2 BOX 10
FREDERICK SD 57441

NOTICE

RE: Violation of Water Permit Nos 2580-3, 4890-3 and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 2580-3, 4890-3. 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) 2580-3 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) 4890-3 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) 4890-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2580-3 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

SENDER:

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

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 ENGELHART
RR #2 BOX 10
FREDERICK, SD 57441

4a. Article Number

P906 557 614

4b. Service Type

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

7. Date of Delivery

1/30/92

5. Signature (Addressee)

Steven Engelhart

6. Signature (Agent)

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



4890-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

STEVEN ENGELHART
RR2 BOX 10
FREDERICK SD 57441

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 2580-3; & 4890-3

The first notice to file chemigation report(s) for Permit No(s) 2580-3; & 4890-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 2580-3; & 4890-3. 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). 2580-3; & 4890-3 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 DUVALL, 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.



4890-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1992

STEVEN ENGELHART
RR2 BOX 10
FREDERICK SD 57441

Dear Mr. ENGELHART:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No.(s) 2580-3; & 4890-3. 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,

DON FRYE, Natural Resources Analyst
Water Rights Division



4890-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 1992

2580-3

4890-3

Steven Engelhart
RR #2 Box 10
Frederick, SD 57441

Dear Mr. Engelhart:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 2580-3 and 4890-3. 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



4890-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 16, 1994

STEVEN ENGELHART
RR #2 BOX 10
FREDERICK SD 57441

NOTICE

RE: Violation of Water Permit No(s) 2580-3, 4890-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2580-3, 4890-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2580-3 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) 4890-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4890-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2580-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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 ENGELHART
RR #2 BOX 10
FREDERICK SD 57441**

4a. Article Number

P837 692 584

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

5. Signature (Addressee)

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

6. Signature (Agent)

Clarissa Big Eagle

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

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

48903



4890-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 16, 1994

NOTICE

TO: STEVEN ENGELHART
RR2 BOX 10
FREDERICK, SD 57441

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2580-3; & 4890-3

The first notice to file chemigation report(s) for Permit No(s) 2580-3; & 4890-3 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 2580-3; & 4890-3. The Water Management Board has directed that owners of water permits who have not submitted the 1993 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 hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, 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). 2580-3; & 4890-3 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. Prior to April 1, 1994, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1994

2580-3
4890-3

Steven Engelhart
RR #2 Box 10
Frederick, SD 57441

Dear Mr. Engelhart:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires and chemical reporting forms. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 2580-3, 4890-3 and 1993 Irrigation Questionnaire Requirements and the Notice of Failure to Report Chemical Use.**

The questionnaires and chemical reporting forms were received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

File No. 2580-3 & 4890-3

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Steven Engelhart

ADDRESS: Rt. 1, Box 18 Frederick, SD COUNTY: Brown

DATE: November 29, 1995 TELEPHONE: 329-2101

RE: Inspection of Water Permits Nos. 2580-3 & 4890-3

I talked to Steven Engelhart today about the inspection of Water Permit Nos. 2580-3 & 4890-3. I told him I stopped in to see him on November 7, 1995 and also inspected these permits several years ago. The problem I had with these permits is the fact that No. 2580-3 only authorized one well and there had been two constructed. It sounded like Mr. Englehart wants to keep the south well as a back up. This well still has a pump installed. The north well has been abandoned; however, it is not plugged. I told Mr. Englehart that the north well needs to be plugged by a licensed Well Driller and a plugging report needs to be sent to our office before we can proceed with the licensing of these permits.



Timothy G. Schaal, P.E.
Natural Resources Engineer III
Water Rights Program

1997 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 1, 1997

2580-3
 STEVEN ENGELHART
 11276 386TH AVE
 FREDERICK SD 57441

CHANGES TO ADDRESS LABEL , IF ANY:

605-228-1367
 Telephone No. 605-329-5137

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

HAS SYSTEM BEEN CONSTRUCTED? YES _____ NO _____

DID YOU IRRIGATE IN 1997? YES X NO _____ IF YES, NUMBER OF ACRES IRRIGATED 105

SOURCE OF WATER well

DID YOU CHEMIGATE IN 1997? YES _____ NO X

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS 1 TOWNLINES _____ BIG GUN _____

FLOOD _____ SPRINKLERS _____ OTHER _____



COMMENT SECTION: *The well you wanted plugged & capped is completed.*

THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF ALFALFA). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 8 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 22 DAYS ON THE ALFALFA:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

5959-3 and 4890-3

Steven Engelhart
11276 386th Ave
Barnard SD 57426

Dear Mr. Engelhart:

On August 23, 2001 the investigation of your water use systems, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 5959-3 and 4890-3, was completed by Stacy J Johnson, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of each water license. Upon receipt of the \$100.00 fee, we will complete processing your water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permits, investigation of your water use systems or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416762

Pierre, February 12, 2001

RECEIVED OF Steven L. Engelhart, 11276 386th Ave, Frederick, SD 57441
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. 4890-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By Darland Erbe
Chief Engineer

gm

Permit Nos. 2580-3, and 4890-3

James River - Water District

Other permit/license(s) associated with project: 5959-3

Contact Person & Address: Steven Engelhart, 11276 386th Ave, Barnard, SD 57426

Report Of Examination Of Works

On, August 23, 2000, I made a thorough examination of the water use system constructed by Steven Engelhart of 11276 386th Ave, Barnard, SD 57426 holder of Permit No. 2580-3, bearing the priority of February 26, 1976, authorizing the diversion of 1.95 cu. ft. per second and Permit No. 4890-3, bearing the priority of May 10, 1982, authorizing a change of the diversion point for irrigation purposes, in Brown County.

The system is in the following condition good. The point of diversion is located Well #1 (Back up well): from the NE corner of Section 21 T126N-R63W it is 1056 feet west and 865 feet south with a longitude of -98.418296 and a latitude of 45.717638. Well #2: from the NE corner of Section 21 T126N-R63W it is 528 feet south and 85 feet west with a longitude of -98.414483 and a latitude of 45.718371. Well #3: from the NE corner of Section 21 T126N-R63W it is 1056 feet south and 65 feet west with a longitude of -98.414399 and a latitude of 45.717003. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water that is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

All land is in Section 21 T126N-R63W

NE ¼ NE ¼ = 33.25 Acres

SE ¼ NE ¼ = 33.25 Acres

SW ¼ NE ¼ = 33.25 Acres

NW ¼ NE ¼ = 33.25 Acres

comprising a total of 133 acres of land and the license should be issued for 1.78 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information: Well #1 (Back up well)

- 1) Well Drilling Firm: Bonanza Drilling
- 2) No. of Wells 1
- 3) Depth(s) 68 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 12 inches
- 2) Length 20 feet
- 3) Type Steel

Screen:

- 1) Type 10 Gauge
- 2) Length 32 feet
- 3) Static water level 35 feet

Pump\ Motor:

- 1) Pump Make unknown (submersible)
- 2) Pump Model unknown
- 3) Capacity 200 GPM
- 4) Motor Make unknown
- 5) Motor Model No. unknown
- 6) Horsepower rating 25 hp

Distribution System:

- 1) Type unknown
- 2) Size unknown inches
- 3) Length unknown feet

Diversion Point Information: Well #2

- 1) Well Drilling Firm: M & W Drilling
- 2) No. of Wells 1
- 3) Depth(s) 53 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 8 inches
- 2) Length 35 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 20 feet
- 3) Static water level 15 feet

Pump\ Motor:

- 1) Pump Make unknown (submersible)
- 2) Pump Model unknown
- 3) Capacity 400 GPM
- 4) Motor Make unknown
- 5) Motor Model No. unknown
- 6) Horsepower rating 25 hp

Diversion Point Information: Well #3

- 1) Well Drilling Firm: M & W Drilling 2) No. of Wells 1
3) Depth(s) 68 feet 4) Well log is available yes

Casing:

- 1) Diameter 8 inches 2) Length 45 feet
3) Type Plastic

Screen:

- 1) Type Plastic 2) Length 25 feet
3) Static water level 20 feet

Pump\ Motor:

- 1) Pump Make unknown (submersible) 2) Pump Model unknown
3) Capacity 400 GPM 4) Motor Make unknown
5) Motor Model No. unknown 6) Horsepower rating 25 hp

Distribution System:

- 1) Type PVC 2) Size 8 inches 3) Length 2250 feet

System Type:

Center pivot: Section 21 center of NE ¼

- 1) Make Olson 2) Overall length 1320 feet
3) Number of towers 8 without center pivot 4) End gun yes
5) High or low pressure #between high & low (40-50 lb) 6) Capacity 800 GPM

Chemigation:

- 1) Does chemigate no

Stacy J. Johnson
Stacy J. Johnson
Natural Resources Engineer
DENR, Water Rights Program

1-18-01
Date

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Steven Engelhart

ADDRESS: 11276 386th Ave, Barnard, SD 57426

DATE: January 18, 2001 COUNTY: Brown TELEPHONE: (605) 329-2101

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Yes

- **If irrigation, no new land is irrigated**

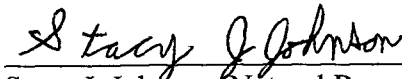
No

- **Review of Existing Diversions**

Wells were to be located in the SE ¼ NE ¼ and the NE ¼ NE ¼ Section 21 as per water permit applications. Wells are all located in the NE ¼ NE ¼. The water permit applications were for two wells. There are three wells in the above location.

RECOMMENDED ACTION

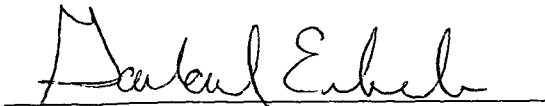
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



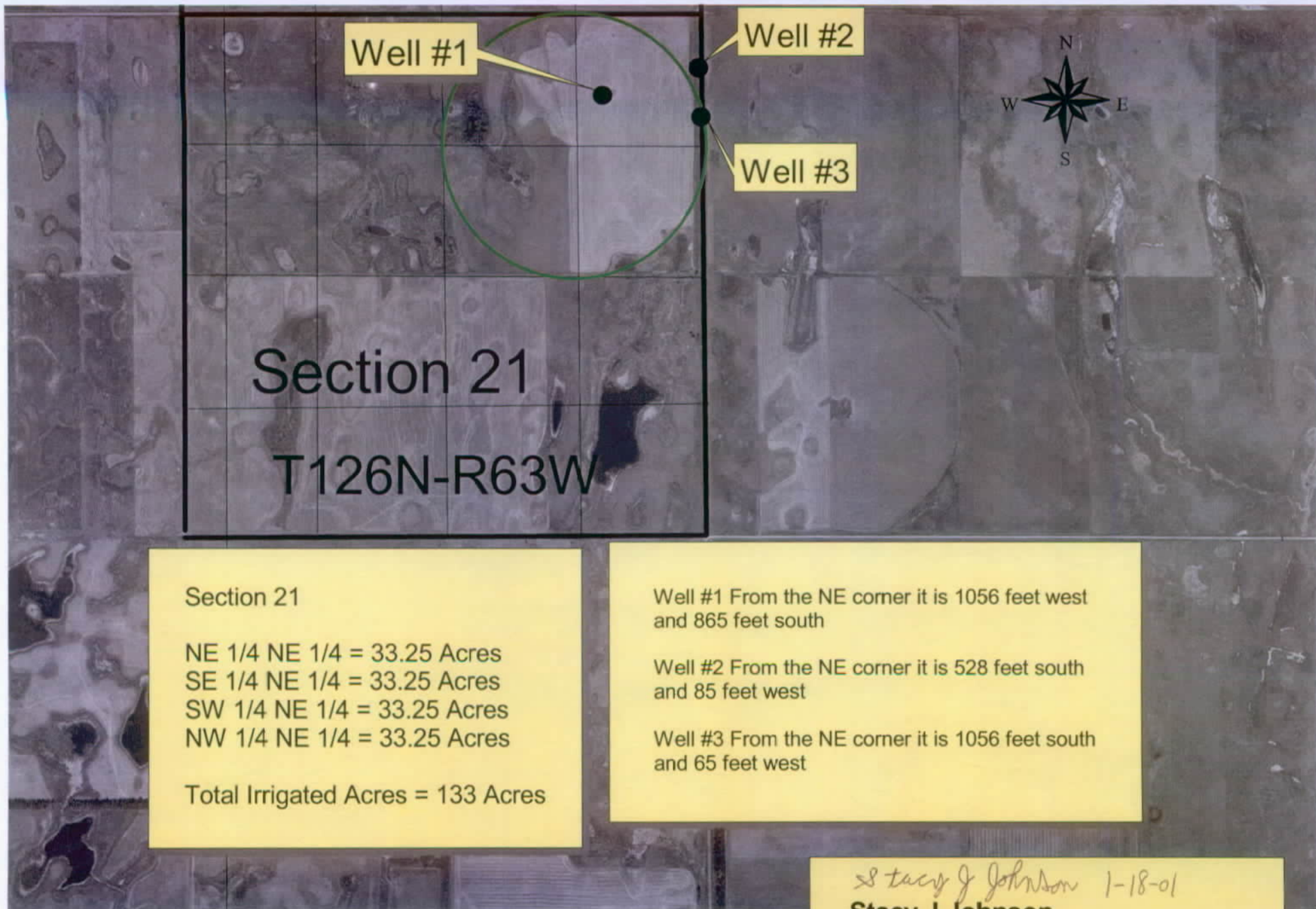
Stacy J. Johnson, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



0.5 0 0.5 Miles

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4890-3

(1) Steven Engelhart, 11276 386th Ave, Frederick SD 57441 made Application No. 4890-3, March 8, 1982 for a water permit for an additional well, Brown County, South Dakota for irrigation purposes. Permit No. 4890-3, with a priority date of May 10, 1982 was approved October 7, 1982 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 7, 1987 and for the application to beneficial use of said water on or before October 7, 1991.

Water Permit No. 2580-3 with a priority date of February 26, 1976, authorized 1.95 cubic feet of water per second from one well. No. 4890-3 corrected the location of the existing well and authorized an additional well with no increase in the authorized diversion rate.

An investigation conducted for licensing purposes found an additional diversion point developed under Water Permit No. 4890-3 and the wells under Water Permit Nos. 2580-3 and 4890-3 were not in the locations authorized by the permits. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion points and the additional diversion point does not increase the potential for interference with existing water rights.

The applicable portions of No. 2580-3 are incorporated into No. 4890-3 and the February 26, 1976 priority date is retained.

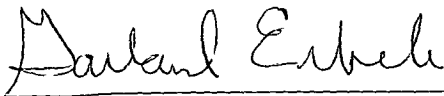
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion points are:

Well #1 (back up well) – 1,056 feet west and 865 feet south (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
Well #2 – 528 feet south and 85 feet west (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
Well #3 – 1,056 feet south and 65 feet west (NE $\frac{1}{4}$ NE $\frac{1}{4}$);
all from the northeast corner of **Section 21-T126N-R63W**

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

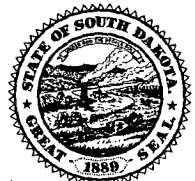
Section 21-T126N-R63W	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33.25 acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.25 acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33.25 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33.25 acres
Total 133 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Steven Engelhart, 11276 386th Ave, Frederick SD 57441 the holder and/or owner of Incorporated Water Right No. 4890-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (three wells) with a priority date of February 26, 1976 from the locations 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 Right No. 4890-3 and subject to South Dakota State Law.


GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 04 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 04 2001

4890-3

Steven Engelhart
11276 386th Ave
Frederick, SD 57441

Dear Mr. Engelhart:

Enclosed is Water License No. 4890-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416762 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The applicable portions of No. 2580-3 are incorporated into Water License No.4890-3.

enclosures

NOT TO SCALE

104.1

31.9

76.8

76.8

EXISTING
WELL
(NOT USED)

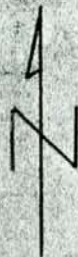
1800

EXISTING
WELL

OUT

②
NEW
WELL

①
NEW
WELL



NE4-21-126-63
STEVEN ENGELHART
SCALE: 8" = 1 MILE
Prepared by:

USDA
Soil Conservation Service
Larry J. Coplan, Dist. Cons.
3-2-82

LEGEND:

— Planned Pipeline
= Existing Pipeline

126-63

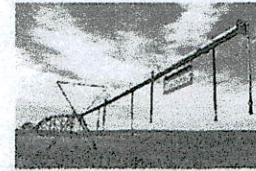
~~APPL # 4091-3~~
APPL 4890-3

4890-3

5959-3

General Irrigation, Inc.

8973 Hwy 1 South
Oakes, ND 58474
701-742-3223 office

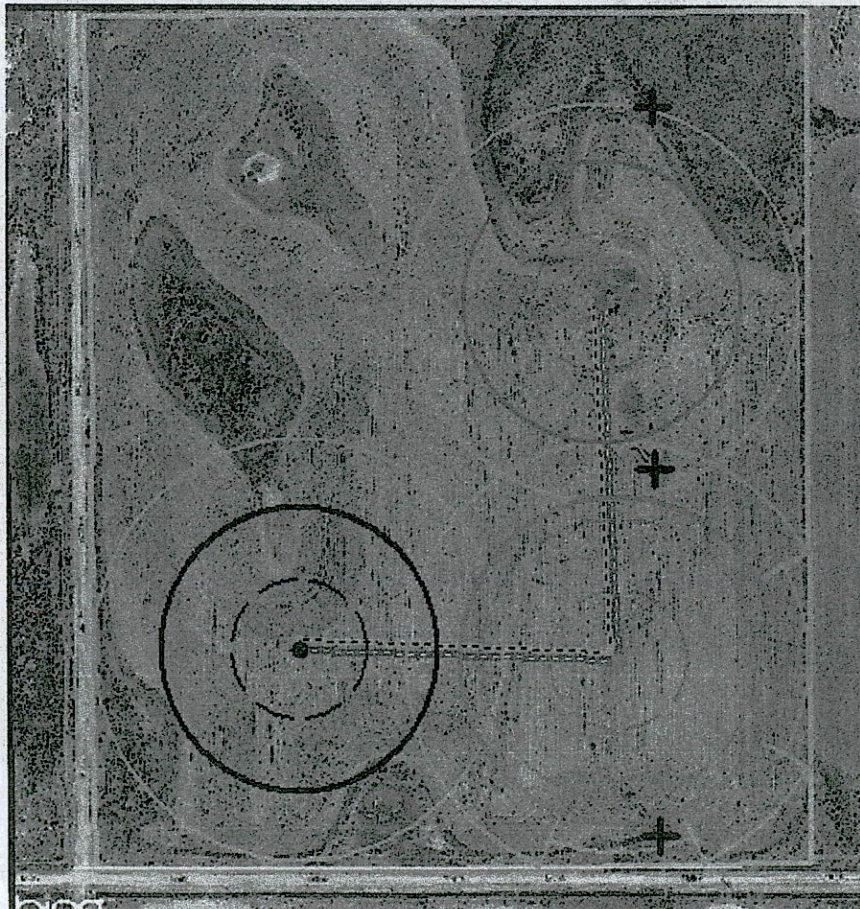
**Farm: Steve Englehardt**

Grower:

3/16/2016

Systems:	Length	Spans	Total area including endgun
● Pivot 1	253.00 ft	2 spans + No overhang	8.99 acres
● Pivot 2	289.00 ft	2 spans + 33 ft o.h.	10.16 acres
● Pivot 3	253.00 ft	2 spans + No overhang	10.03 acres

Pipe and Wire:	Length / Size	Description
● Pipe 1	632.37 ft / 6"	
● Pipe 2	578.18 ft / 4"	
○ Wire 1	1177.22 ft / #8	

**RECEIVED****DEC 12 2016****WATER RIGHTS
PROGRAM**



4890-3
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 23, 2020

NOTICE

TO: STEVEN ENGELHART, 11276 386TH AVE, FREDERICK, SD 57441

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4890-3 & 5959-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 4890-3 & 5959-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 4890-3 & 5959-3 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 **February 26, 2020** 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://denr.sd.gov/iq> using this password: NAFHMO**

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.

4890-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2020

4890-3
5959-3

Steven Engelhart
11276 386th Ave
Frederick SD 57441

Dear Mr. Engelhart:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 4890-3 and 5959-3. 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