

Considered: 4-25-84

WATER PERMIT NO. 4994-3

0202 SR

MAP No. 4994-3

Name of Applicant DONALD LINNEMAN

Post Office Address Rt 2, Box 78, Castlewood, S.D. 57223

Amount of Water Claimed 2.20 Total Acres 156.00

Source of Water Supply One 72' well

Water to be used for IRR County Hamlin

About 4½ N 3 miles east of Estelline

PROOF OF PUBLICATION: Received 3-23-84 Not Received _____

APPLICATION: Approved 4-25-84 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 10/31/83 Fee 250.00 Remarks _____

1-16-84

Corrected Application Received _____ Period of Annual Use 4/1 to 11/1

WATER QUALITY APPROVAL RECEIVED 1-16-84 APPROVED/CONDITIONAL (Circle one)

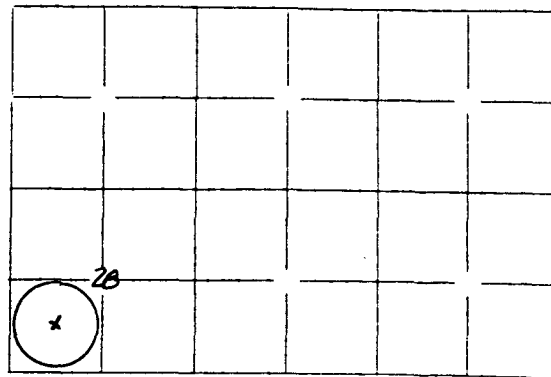
WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point _____

Approximate center of the SW¼, Sec. 28-T114N=R51W

Land to be Irrigated _____

SW¼, Section 28-T114N-R51W

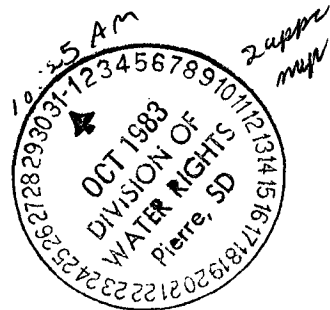


Well Log: Driller Kaiser Well Drilling Licensed YES x NO _____

Depth of Well 72' deep REMARKS _____

Type of Map aerial PREPARED BY John Wiersma PE Reviewed and the Number

assigned on 1-17-84 By BJ Westlund

No. 4994-3Map No. 4994-3 Water Division No. 3 BIG SIOUX RIVER DistrictAbove for Office Use 10170202

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

Check one of the following:

New ☒ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Donald Linneeman Phone No. 873-2753
 Post Office Address Rt 2 Box 78 Castlewood State South Dakota 57223
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation N.A.

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor3. Name of diversion work Linneeman Irrigation Project #24. Amount of water claimed (cubic feet per second) 2.25. Source of water supply well

6. Location of point of diversion 1860' N 45° E of SW corner of Sec 28-114-51
(APPROXIMATE CENTER SW⁴)

County Hamlin7. Annual period or periods during which water is to be used April 1 till Nov 18. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 156

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.
<u>NW⁴ of SW⁴ Sec 28-114-51</u>	<u>39</u>
<u>NE⁴ of SW⁴ Sec 28-114-51</u>	<u>40</u>
<u>SW⁴ of SW⁴ Sec 28-114-51</u>	<u>38</u>
<u>SE⁴ of SW⁴ Sec 28-114-51</u>	<u>39</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

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

12. Principal Features of the Proposed Water Supply System.

HAMLIN COUNTY REPUBLICAN
Box 38, CASTLEWOOD 57223

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

Well with deep well turbine

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machineEstimated Total Cost \$ 50,000

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

STATE OF SOUTH DAKOTA)

County of Brackley) ss.

I, Donald Linneeman 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 Donald LinneemanSubscribed and sworn to before me this 28 day of OCT, 1983

John L. Wallace
 Notary Public (or other qualified officer)
 Reg. Engr - 1918

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4994-3

Donald Linneman

(Applicant)

Rt. 2, Box 78 Castlewood

(Post Office Address)

South Dakota

(State)

With the following qualifications.

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

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

Date of first receipt of application October 31, 1983

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved April 25, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 4994-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4994-3 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 January 16, 1984
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before September 25, 1986
3. The whole of said work is to be completed on or before April 25, 1989
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is April 25, 1993
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 2.20 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 April 25, 1993; said water to be used during the following described annual period: April 1st to November 1st

Witness my hand this 7th day of May, 1984

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

D. Well Information

- (1) Drill Hole, Diameter 1.8", Depth 72'
- (2) Casing, Type Steel, Diameter 10", Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Screen, Type Cont. Slot, Diameter 10", Length 10'
- (4) Gravel Pack, Thickness 4", Length of gravel pack 50'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

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

Depth to top of water bearing material 18'

Depth to bottom of water bearing material 72'

Depth to water (ground surface to water level) 8' 12'

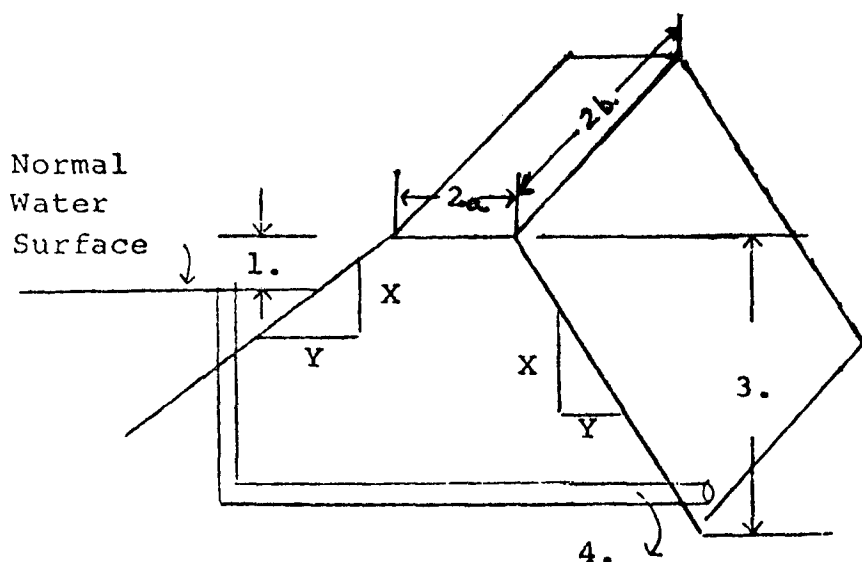
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property No Supply rds.

On property owned by others 100 rds.

G. Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

X Donald L. Linneman
Signature of Applicant

**IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS** Ph. 854-3744

Estimate Paper

Data

Top soil	0' - 2 1/2'
Yellow clay	2 1/2' - 5'
Sand (Fine) ^{took water}	5' - 18'
Sand + ^{yellow} boulders _{took water}	18' - 65'
gray gravel	65' - 72' : 100
Blue clay	72' - 80'
Sum. 12'	

Driller: Louis Tom Kaiser

NOT TO SCALE

379-201-R

Donald Lintzeman
Irrigation Project #2
Rt 2 Box 78, Castlewood
South Dakota 57223

Area irrigated - SW⁴ sec 28-114-51
28 Acres irrigated - 156
Water claimed - 2.2 cfs

114-51
10-28-83

John Lawrence
379-Regd 1918

Appl & Map # 4994-3

RECEIPT

Division of Water Rights

No 4 9415

South Dakota Department of Water and Natural Resources

Pierre, November 28, 1983

Don Linneman, RFD#2, Box 28, Castledwood, SD 57223

RECEIVED OF

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

Fee for Application for Permit No. 4994-3 to Appropriate Water, to construct works and to put water to beneficial use	250	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	250	00

By

Chief Engineer

JOHN HATCH/ms



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

November 16, 1983

Don Linneman
RFD 2, Box 28
Castlewood, SD 57223



Dear Mr. Linneman:

In reviewing your soil and water compatibility application for the SW $\frac{1}{4}$ 28-114-51 = 156 acres, the irrigation staff is recommending a Conditional Approval of your application to the State Conservation Commission at their January 12, 1984 meeting. The Conditional recommendation is based on the water tables present in the soils of Parnell silty clay loam, Lamoure silty clay loam and Divide loam. The water tables in this soil may prevent adequate leaching of salts and drowning out of crops as well as trafficability problems. The Restrictions and Management Recommendations are as follows:

RESTRICTIONS:

The soils of Parnell, Lamoure and Divide shall have adequate internal drainage. To achieve this may require an artificial drainage system i.e. tile drainage.

We have noted that the drainageway in this area shall be maintained in grass. See your application.

MANAGEMENT RECOMMENDATIONS:

It is recommended that when growing corn that a form of conservation tillage be used to prevent erosion.

We also recommend that the areas with the water table be maintained in alfalfa to prevent trafficability problems. This practice in addition to an extensive water management plan may prevent the water tables from becoming a significant problem.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

4065

OWNERS NAME: Donald Linneman OWNERS ADDRESS: Rt 2 Box 28

Castlewood S.D. 57423

COUNTY LAND LOCATED IN: Hamilton PHONE: 823-2753

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

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

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

1. WELL LOCATION OR DIVERSION POINT: Center of SW 1/4 Sec 28 - 114-51

2. SURFACE WATER SOURCE: _____

3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
NW 1/4 SW 1/4 Sec 28 - 114-51	39	Note: There is a grass water way	
NE 1/4 SW 1/4 Sec 28 - 114-51	40	which runs from NW to SE corner	
SW 1/4 SW 1/4 Sec 28 - 114-51	38	area which will remain in permanent	
SE 1/4 SW 1/4 Sec 28 - 114-51	39	grass	

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

5. CROPS TO BE IRRIGATED: Corn & Alfalfa with water way in permanent grass

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

LEGAL DESCRIPTION: _____

IN WHAT NAME: _____

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

7. WATER SAMPLE NUMBER: 83-0582

8. SALINITY (EC X 10⁶): 850

9. SODIUM (SAR): 0.68

10. ADJUSTED (SAR): 1.72



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 4:00 a.m./p.m., on Oct 24-83, 1983, at the following location: point of diversion by owner (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

28 DAY OF Oct, 1983.

John Linneman
(NOTARY PUBLIC)

Donald Linneman
APPLICANT'S SIGNATURE

Jack H. Felt
Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

1-12-84

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

#4065

Conditional ApprovalSOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATIONNAME OF APPLICANT: Donald Linnemen - Hamlin CountyLEGAL DESCRIPTION: Sec 28-114-51 = 156 acres.SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The soils of Parnall, Lamoure and Divide shall have adequate internal drainage. To achieve this may require an artifical drainage system i.e. tile drainage.

We have noted that the drainageway in this area shall be maintained in grass. See your application.

RECOMMENDED MANAGEMENT:

It is recommended that when growing corn that a form of conservation tillage be used to prevent erosion.

We also recommend that the areas with the water table be maintained in alfalfa to prevent trafficability problems. This practice in addition to an extensive water management plan may prevent the water tables from becoming a significant problem.

Lach M. Spald
SIGNATURE1-12-84
DATE

REPORT ON APPLICATION NO. 4994-3

DONALD LINNEMAN

February 28, 1984

Application No. 4994-3 proposes to irrigate 156 acres in the SW 1/4 Section 28, T114N, R51W from one well 72 feet deep. The applicant will withdraw 2.2 cubic feet per second of ground water from the Big Sioux-Brookings management unit.

The Big Sioux-Brookings management unit is a glacial sand and gravel aquifer. The aquifer contains an estimated 642,230 acre feet of recoverable water (Hedges, 1981). The aquifer is generally under water table conditions.

The Division of Water Rights monitors 68 observation wells in the Big Sioux-Brookings unit. These wells have shown seasonal fluctuations due to the spring runoff and the affects of the high capacity wells. Hydrographs also indicate the fluctuation of head pressure in the portion of the management unit that is under artesian conditions. In no case did the hydrographs indicate a problem with depleting the waters of the aquifer.

Presently, appropriations by the Water Management Board total approximately 92,000 acre feet of water from the BS:S⁶ unit. This is 14 percent of the total amount of recoverable water. Only 5% of the 92,000 acre feet appropriated was reported as used in 1982. Complete values for 1983 water use were not available at this time, but a review of the questionnaires returned indicate 1983 use will be much less because of federal farm programs (PIK).

Although there is a large number of permits issued in the management unit (198) interference between high capacity wells should not be a problem. This is also indicated by the stable water levels in the observation wells.

Conclusions

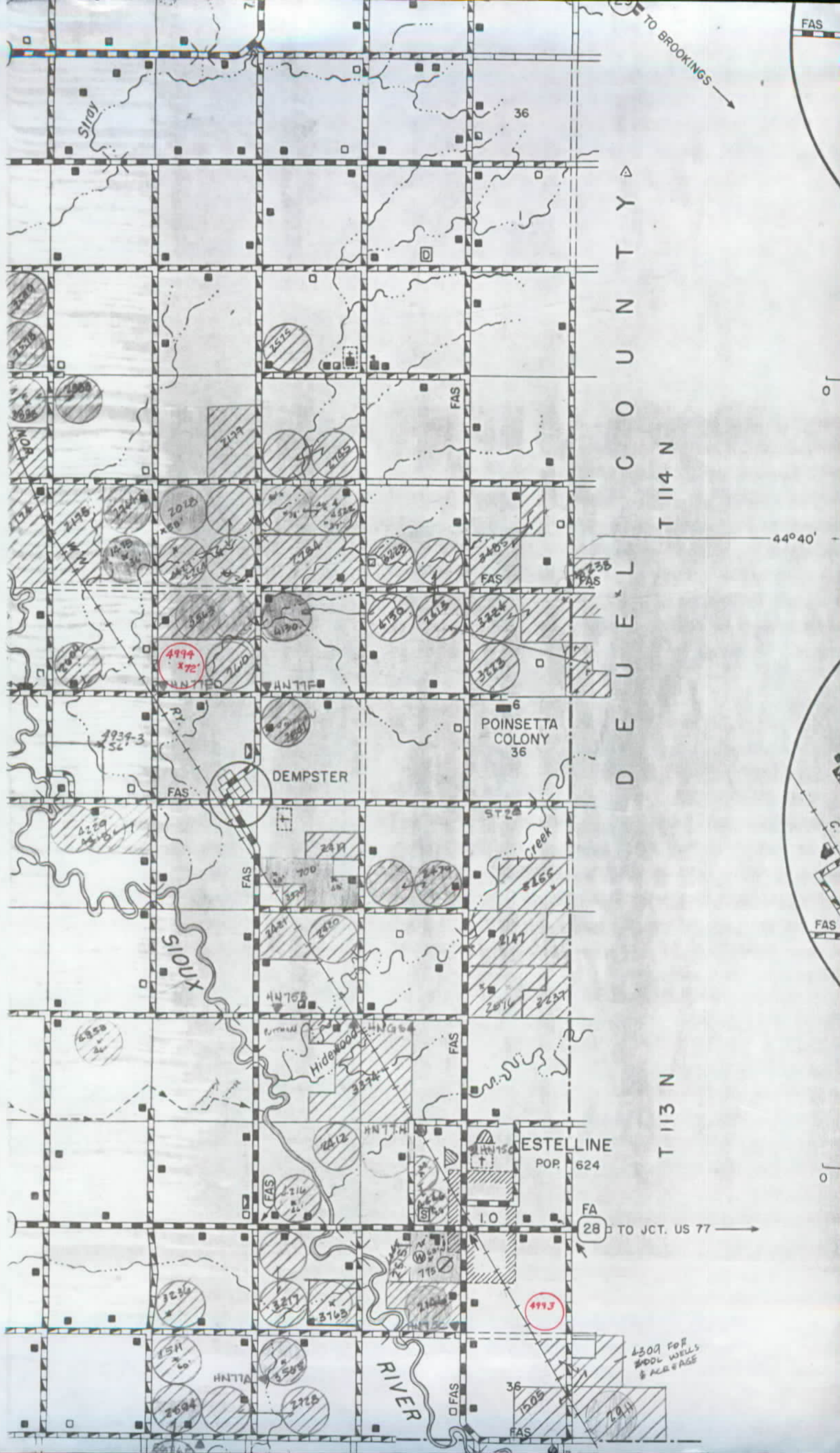
1. There is a reasonable probability that unappropriated water is available for this application.
2. Observation wells exist and are being monitored in this aquifer.

Gale N Selken

GALE N SELKEN
Hydrologist

References

1. Hedges, Burch, Iles, Evaluation of Ground Water Resources, Eastern South Dakota, Upper Big Sioux Basin South Dakota and Iowa, SDGS, Vermillion, 1982.
2. Water Rights Division Files, Division of Water Rights, Pierre SD, 1984.
3. Irrigation Questionnaire Files, Division of Water Rights, Pierre SD, 1984.
4. Observation Well File, Microfiche and Computer Files, Division of Water Rights, Pierre SD, 1984.
5. ~~Burch, General Information of City of Sisseton Aquifer Test, SDGS, General Comments unpublished.~~



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4994-3, Donald Linneman

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4994-3, Donald Linneman, Rt 2, Box 78, Castlewood SD.

The Chief Engineer is recommending APPROVAL of Application No. 4994-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
March 7, 1984

WP or WR No. 4994-3

Instruction to Newspaper - Publish first publication of the following Notice on or before March 15, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4994-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Donald Linneman whose mailing address is
Route #2, Box 76, Castlewood, South Dakota has made an application for a permit

to appropriate 2.20 cubic feet per second from groundwater, ~~one~~ well 72 feet deep. The point of diversion is to be located in the approximate center of the SW $\frac{1}{4}$, Section 28, T114N, R51W. The water is to be used for the purpose of providing irrigation on 156 acres in the SW $\frac{1}{4}$, Section 28, T114N, R51W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 4994-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss
Building, 523 E. Capitol, Pierre, South Dakota, April 25 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by April 13, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by April 13, 1984.

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hamlin) ss.

I, Jack Dorman hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hamlin County Republican

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

City Castlewood of _____

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

March 15, 1984

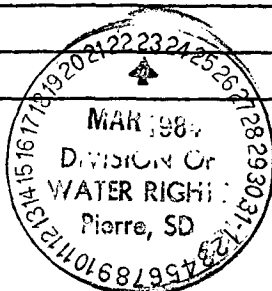
March 22, 1984

Jack Dorman
(Signature)

Publisher
(Title)

March 22, 1984
(Date Signed)

Cost of Printing: \$43.00



NOTICE OF HEARING ON
APPLICATION NO. 4994-3 TO
APPROPRIATE WATER

Notice is hereby given that Donald Linnemann whose mailing address is Route #2, Box 78, Castlewood, South Dakota has made an application for a permit to appropriate 2.20 cubic feet per second from groundwater, one well 72 feet deep. The point of diversion is to be located in the approximate center of the SW 1/4, Section 28, T114N, R51W. The water is to be used for the purpose of providing irrigation on 156 acres in the SW 1/4, Section 28, T114N, R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends approval of Application No. 4994-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss Building, 523 E. Capitol, Pierre, South Dakota, April 25, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by April 13, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-12, 46-1-15, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-6-3, 46-6-3.1, 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

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg., Pierre, SD (605 772-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by April 13, 1984.
(march 15, 22)



Department of Water & Natural Resources

4994-3

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

May 8, 1984

Donald Linneman
Route #2, Box 78
Castlewood, South Dakota 57223

Dear Mr. Linneman:

Enclosed herewith is your Water Permit No. 4994-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4994-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

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

Post Office PI 2 Box 78
CASTLEWOOD S. DAK

Date 8-15-1984

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

Dear Sirs:

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

4994-3

Water Right Permit No. 4994-3 states that the diversion system is to be constructed by CONTRACTOR AND DIRECT LABOR, and that the water is put to beneficial use by 7-9-84.

The diversion system was completed on 7-9-84. Applying the water to beneficial use was completed on 7-9-84.

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

Donald Linneman
(Signature)

*Well & pump put in by Bullis Bros. of Watertown, S.D.
System purchased from Clark Irrigation of Milbank, S.D.*



6/19/1991

LICENSE FOR PERMIT NUMBER 4994-3

1. Legal location of wells: SW 1/4 Section 28 - T114N-R51W

dams & structures: _____

2. Well Information: Well Drilling Firm Bullis Brothers

Completion Report Yes ☒ No _____ No. of Wells 1 Depth 72'

Casing a) diameter 16" Screen a) type Stainless Steel

b) length 61' b) length 12

c) type PVC Static Water Level 8

Pump a) make Valley Pump Co. Motor a) make High Thrust U.S. Electric Motor

b) model SN 143494 10HHE.4A b) model No. 324JP WPI

c) size 10 c) horsepower rating 40

d) capacity 750 gpm

e) turbine pump - no. of stages _____

f) operating PSI 45

3. Distribution lines or canals

a) size 8"

b) type Alum.

c) length 16'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Zimatic
- 2) number of towers 7
- 3) distance between towers _____
- 4) overall length 1284'
- 5) end gun (Y/N) Y
- 6) high or low pressure low 45psi
- 7) make & size of nozzles _____
- 8) capacity (GPM) 750

g) siphons

- 1) size _____
- 2) number _____

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

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
☒	☐	2. Special qualifications to permit being abided by?
☒	☐	3. All structures, wells and lands on map?
☒	☐	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
☐	☒	5. Is chemigation used?
☐	☐	6. If yes, does equipment comply with chemigation rules?

REMARKS:

Big Sioux River Water District

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

I have this day made a thorough examination of the water use system constructed by Donald Linneman
Rt 2 Box 78 of Castlewood, SD 57223 holder of
Permit No. 4994-3, bearing the priority of January 16 1984 authorizing
the diversion of 2.20 cu. ft. per second of the waters of groundwater
for irrigation purposes, in Hamlin County.

A. Works used to divert the water:

orks used to divert the water:

1- 40 HP 10" Valley Pump Co. pump SN= 14.3494 10H14E.4A capable of
750 gpm run by a High-thrust U.S. electric Motor Model # 324TP WPI

8" Aluminum 16' long

zomatic center pivot with 7 towers with a length of 1284' and an end gun. Pivot capable of 750 gpm.

The system is in the following condition good

The point of diversion is located 1450' East and 1385' North of the SW
corner, Section 28-T114N-R51W

The works are capable of diverting and conveying to the place of use 1.66
cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: Section 28-T114N-R51W

NW1/4 SW1/4 - 33 Acres

NE 1/4 SW 1/4 - 33 Acres

SW 1/4 SW 1/4 - 33 Acres

SE 1/4 SW 1/4 - 33 Acres

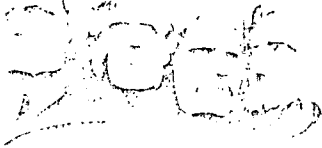
comprising a total of 132 acres of land and the license should be issued for 1.66 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 6/19/1991

Norma C. Tob
(signature)

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 1991

4994-3

Donald Linneman
RR #2 Box 78
Castlewood, SD 57223

Dear Mr. Linneman:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4994-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4994-3

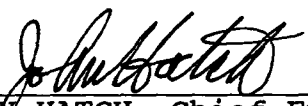
(1) Donald Linneman of RR 2, Box 78, Castlewood, SD 57223 made Application No. 4994-3, October 31, 1983 for a water permit to appropriate 2.20 cubic feet of water per second from groundwater, Hamlin County, South Dakota for irrigation purposes. Permit No. 4994-3 with a priority date of January 16, 1984 was approved April 25, 1984 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before April 25, 1989 and for the application to beneficial use of said water on or before April 25, 1993.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.66 cubic feet of water per second for beneficial use. The location of the diversion point is: 1450'E and 1385'N of the SW corner Section 28, T114N, R51W.

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

T114N, R51W Section 28	NW 1/4 SW 1/4	33 Acres
	NE 1/4 SW 1/4	33 Acres
	SW 1/4 SW 1/4	33 Acres
	SE 1/4 SW 1/4	33 Acres
	Total-----	132 Acres

(4) Pursuant to Section 46-5-30.1 Donald Linneman of RR 2, Box 78, Castlewood, SD 57223 the holder(s) and/or owner(s) of Water Permit No. 4994-3 is issued a license to appropriate water, the right to use 1.66 cubic feet of water per second from groundwater with a priority date of January 16, 1984 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4994-3 and subject to South Dakota State Law.

 SEP 27 1991

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

RECEIPT
Division of Water Rights
South Dakota Department of Water and Natural Resources

412756

Pierre, July 26, 1991

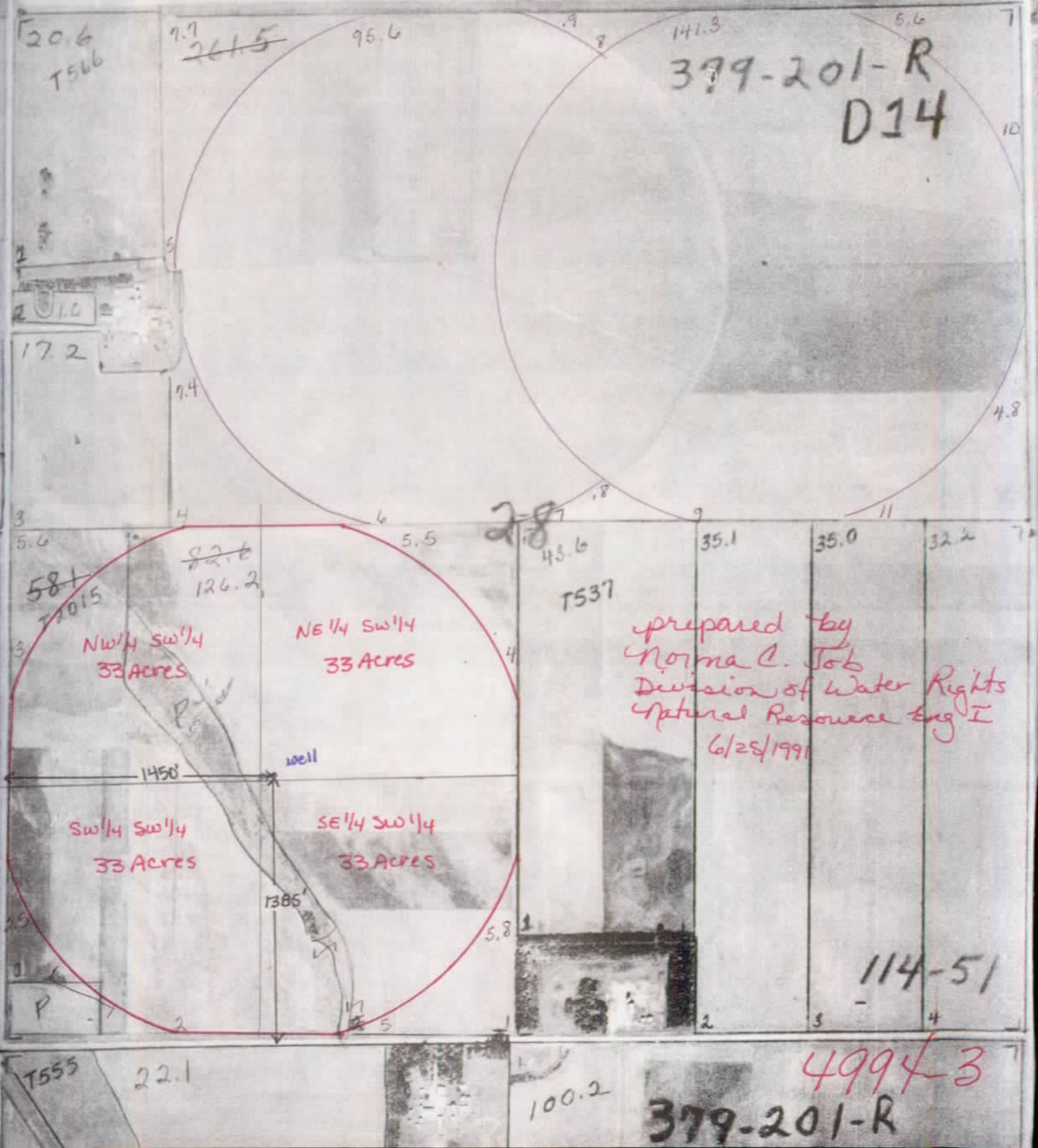
RECEIVED OF Donald or Shirley Linneman, RR 2, Box 78, Castlewood, SD 57223

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4994-3</u>	5000	
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	5000

By John Hatch 
Chief Engineer

NOT TO SCALE





GREAT FACES. GREAT PLACES.

SEP 27 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

4994-3

Donald Linneman
RR 2, Box 78
Castlewood, SD 57223

Dear Mr. Linneman:

Enclosed is Water License No. 4994-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412756 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4994-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures



4994-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 26, 2005

3563-3
4994-3

Doug Linneman
18851 462nd Ave
Castlewood SD 57223

Dear Mr. Linneman:

I am writing in regard to ownership of land authorized for irrigation under Water Right Nos. 3563-3 and 4994-3. A notation was made on the 2004 irrigation questionnaire for No. 4994-3 that ownership had changed from Donald Linneman to you. I was not sure if the note applied to both water rights or just one. The land covered under each is as follows:

- Water Right No. 3563-3: 238 acres – N ½ Section 28, T114N, R51W
- Water Right No. 4994-3: 132 acres – SW ¼ Section 28, T114N, R51W

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each. The check or money order for the fee can be made payable to the Water Rights Program.

If only Water Right No. 4994-3 is to be transferred, complete the transfer form and remit only \$2.50. You may disregard the other form.

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAY 19 2005

WATER RIGHTS
PROGRAM

No. 4994-3

Date: 5-9-05

I/We request that Water Right No. 4994-3

formerly owned by: Donald Linneman, 18830 462nd Ave, Castlewood SD 57223

be transferred to: (name & address) Douglas Linneman
18851 462 Ave Castlewood SD 57223

Telephone No. 605-873-2740

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

132 acres - SW 1/4 Section 28, T114N, R51W

I/We understand that the validity of Water Right No. 4994-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

Douglas Linneman
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 10, 20 05

RECEIVED OF Douglas Linneman, 18851 462 Ave, Castlewood SD 57223

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>4954.13</u>		2.50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001811

By

Darland S. Libelt

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 19, 2005

4994-3

Douglas Linneman
18851 462nd Ave
Castlewood SD 57223

Dear Mr. Linneman:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" you submitted for Water Right No. 4994-3. The transfer has been completed. The water right, formerly held by Donald Linneman is now listed in your name.

Enclosed is your Receipt No. 001871 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures



4994-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: DOUGLAS LINNEMAN, 18851 462ND AVE, CASTLEWOOD, SD 57223

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4994-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4994-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4994-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 3202**
Status: **Delivered**

Your item was delivered at 11:23 AM on January 19, 2008 in CASTLEWOOD, SD 57223. The item was signed for by N LINNEMAN.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA



United States Postal Service



United States Postal Service

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 3202

DOUGLAS LINNEMAN
18851 462ND AVE
CASTLEWOOD SD 57223

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 2008

4994-3

Douglas Linneman
18851 462nd Ave
Castlewood SD 57223

Dear Mr. Linneman:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 4994-3.

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

If you have any questions, please contact me.

Sincerely,

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



4994-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: DOUGLAS LINNEMAN, 18851 462ND AVE, CASTLEWOOD, SD 57223

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4994-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4994-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4994-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

4994-3

Douglas Linneman
18851 462nd Ave
Castlewood SD 57223

Dear Mr. Linneman:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 4994-3. 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



4994-3
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 20, 2017

NOTICE

TO: DOUGLAS LINNEMAN, 18851 462ND AVE, CASTLEWOOD, SD 57223
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4994-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 4994-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 4994-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 24, 2017

4994-3

Douglas Linneman
18851 462nd Ave
Castlewood SD 57223

Dear Mr. Linneman:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 4994-3. 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



4994-3
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 25, 2019

NOTICE

TO: DOUGLAS LINNEMAN, 18851 462ND AVE, CASTLEWOOD, SD 57223
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4994-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4994-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4994-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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

4994-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 2019

4994-3

Douglas Linneman
18851 462nd Ave
Castlewood SD 57223

Dear Mr. Linneman:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 4994-3. 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

4994-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2021

4994-3

Douglas Linneman
223 Prairie Quay Dr
Lake Norden SD 57248-2129

Dear Mr. Linneman:

Enclosed is a "Notice" dated October 22, 2021 concerning the 2021 irrigation questionnaire.

The notice was originally mailed to 18851 462nd Ave., Castlewood SD. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures