

Considered: 4-25-84

WATER PERMIT NO. 4997-3

MAP No. 4997-3

Name of Applicant Robert & Phyllis Karolevitz

Post Office Address RR 1, Box 134, Mission Hill, SD 57046

Amount of Water Claimed ~~0.86~~ 0.71 Total Acres 50.00

Source of Water Supply ^{One} 195' deep well

Water to be used for IRR County Yankton

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received 1st 3-23-84 Not Received _____

APPLICATION: Approved 4-25-84 Subject to _____

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

PRIORITY _____ Date Received 12/19/83 Fee 150.00 Remarks _____

Originally received 12/19/83

Corrected Application Received 1/6/84 Period of Annual Use 5/1 to 9/30

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

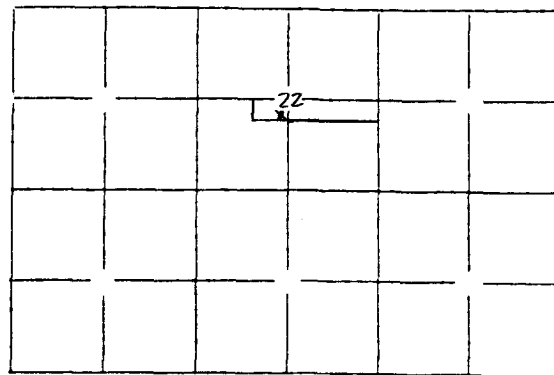
WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22-T94N-R55W

Land to be Irrigated _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, all in Sec. 22-T94N-R55W



Well Log: Driller Wetmore Drilling Licensed YES X NO _____

Depth of Well 195' deep REMARKS _____

Type of Map aerial PREPARED BY Davin Hubbs Co Agent Reviewed and the Number

assigned on 1-18-84 By Bj W. Anderson

No. 4997-3 Hydrologic Unit 10170102
 Map No. 4997-3 Basin Vermillion River
 Newspaper Press/Dakotan, Yankton SD

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☒ Vested Right ☐ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Robert and Phyllis Karolevitz Phone No. 665-9706Post Office Address RR #1, Box 134 Mission Hill State SD Zip Code 57046
(Street, RR or Box)2. Amount of water claimed (c.f.s) 0.71 Total acres irrigated 50.003. Source of Water supply groundwater4. Location of point of diversion NE 1/4 SW 1/4, Section 22-T94N-R55WCounty Yankton5. Counties where water will be used Yankton6. Annual period during which water is to be used May - September

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

Land Description	No. Acres Irr.
NE 1/4 NE 1/4 SW 1/4	10
N 1/4 N 1/4 SE 1/4	50
All in Sec. 22-T94N-R55W	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The water will be used to irrigate an orchard. Some of the water will be applied by a drip system and some by sprinklers

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

STATE OF SOUTH DAKOTA
County of Yankton ssI, Robert Karolevitz the applicant, certify that I have read the foregoing application, 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

Phyllis J. KarolevitzSubscribed and sworn to before me this 5th day of January 19 84

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 4997-3
Robert & Phyllis Karolevitz RT. 1 Box 134 Mission Hill
(Applicant) (Post Office Address)
South Dakota 57046 With the following qualifications.
(State) (Zip Code)

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 December 19, 1983.

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

Date of receipt of corrected application —, 19—. Approved April 25, 1984.

The Water Management Board hereby approves this Water Permit No. 4997-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is December 19, 1983.
2. One-fifth of the work 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 time limit for proof of beneficial use of water 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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.71 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. 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: May 1st to September 30.

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer
 Division of Water Rights JOHN HATCH
 Dept. of Water and Natural Resources

May 3, 1984



Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 24" Depth 195'
- b) Casing Type PVC Diameter 16" Thickness 3/4"
- c) Screen Type Slotted PVC Diameter 16" Thickness 60"
- d) Gravel Pack Thickness 4" Length of Gravel Pack 100'
- e) Depth to Top of Water Bearing Material 92'
- f) Depth of Water (ground surface to water level) 86'
- g) Distance to nearest existing domestic well:
On applicants property 40 rods On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

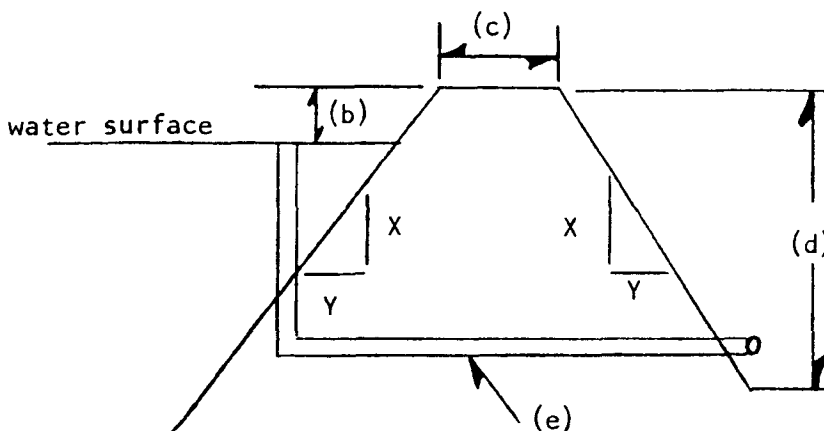
f) X & Y Slope
Upstream _____

Downstream _____

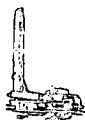
Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Robert F. Karolwitz
Signature of Applicant



WETMORE DRILLING

P.O. BOX 577 · ELK POINT, SOUTH DAKOTA 57025 · (605) 356-3272

WELL LOG for Robert Karolevitz

Rt. 1 Box 134
Mission Hill, SD 57046

SW $\frac{1}{4}$ sec 22 T-92-N R-55 W

Test Hole

0	- 2'	Topsoil
2	- 61'	Clay
61	- 92'	fine sand & clay
92	- 200'	coarse sand & gravel
Static water level		86'

James Wetmore

James Wetmore

Wetmore Drilling
P.O. Box 577
Elk Point, SD 57025

RECEIPT

Division of Water Rights

No 4 9469

South Dakota Department of Water and Natural Resources

Pierre, January 3, 19

RECEIVED OF Robert F. or Phyllis L. Karolavitz, Route #1, Box 15, SD 57046

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

Fee for Application for Permit No. 4997-3 to Appropriate Water, to construct works and to put water to beneficial use	150	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	

By Chief Engineer JOHN HATCH/ms



Department of Agriculture

DIVISION OF CONSERVATION

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

January 6, 1983

Robert Karolevitz
Rt 1, Box 134
Mission Hill, SD 57046

Dear Mr. Karolevitz:

In reviewing your soil and water compatibility application for the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 22; N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ 22-94-55 = 50 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 salt content of the water and the clay content of the soils to be irrigated. The Management Recommendations are as follows:

MANAGEMENT RECOMMENDATIONS:

It is recommended that in establishing your truck garden that you review the various vegetables and fruits for their salt tolerances, before selecting those you wish to grow. This information will also be beneficial in establishing an overall management plan for the project.

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

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

cc: Division of Water Rights





no appl.

Department of Agriculture

DIVISION OF CONSERVATION

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

September 16, 1983

Robert Karolevitz
RR 1, Box 134
Mission Hills, SD 57046

Dear Mr. Karolevitz:

In reviewing your irrigation application for portions of Sec 22-94-55 = 60 acres, the irrigation staff is recommending a conditional approval of your application to the State Conservation Commission at their November 10, 1983 meeting. The Conditional recommendation is based on the soils for the area you intend to irrigate. The Management Recommendations and Restrictions are as follows:

RESTRICTIONS:

Ca - Chancellor silty clay loam - These are poorly drained soils that should be drained if problems with ponding occur. These soils are indicated by red hatch marks on the enclosed map.

MANAGEMENT RECOMMENDATIONS:

It is recommended that in establishing your truck garden that you review the various vegetables and fruits for their salt tolerances, before selecting those you wish to grow. This information will also be beneficial in establishing an overall management plan for the project.

Sincerely,

Jim Stukel
Program Administrator

cf

cc: Division of Water Rights
Water Quality Lab
Red Pahl, Irrigation Specialist
County Extension Service



Received 9/21/83

Bw



Incorrect WI-1 corrected 1/12/84 meeting

Department of Agriculture
WI#1
3/82

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4049

WR#

OWNERS NAME:

ROBERT FRANK PHYLLIS KAROLEVITZ

OWNERS ADDRESS:

RRI Box 134
MISSION HILL, S.D. 57046

COUNTY LAND LOCATED IN:

YANKTON

PHONE:

665-9796

TENANT'S NAME AND ADDRESS:

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

1. WELL LOCATION

SE 1/4 of SW 1/4 of Sec 22 94-55

Depth

193 ft

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Diversion Location:

Legal Description	Acres	Legal Description	Acres
NE 1/4 of SW 1/4 of Sec 22 94-55	#0		
NE 1/4 of E 1/2 of SW 1/4 of			
Sec. 22 & NW 1/4 of N 1/2 of			
SE 1/4 of Sec. 22 94-55	60		



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

LEGAL DESCRIPTION:

None

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE:

SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY:

TOWLINE:

CENTER PIVOT:

GUN:

OTHER:

(Specify)

DRIP

6. CROPS TO BE IRRIGATED:

FRUIT - BERRIES - TRUCK GARDENING

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

7. WATER SAMPLE NUMBER:

83-0439

10. ADJUSTED (SAR):

1.57

8. SALINITY (EC X 10⁶):

1650

11. PERCENT SODIUM

8.28

9. SODIUM (SAR):

0.54

I hereby certify that I personally obtained or that I personally observed that 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 Aug 26 19 83, at the following location: SE 1/4 of SW 1/4 of Sec 22 94-55 by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

Phyllis Karolevitz

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

29 DAY OF August, 19 83

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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 Board of Water Management, Foss Building, Pierre.

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

CONDITIONAL APPROVAL

#4049

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Robert Karolevitz

LEGAL DESCRIPTION: NE $\frac{1}{4}$ of E $\frac{1}{2}$ SW $\frac{1}{4}$ & NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ 22-94-55 = 60 acres.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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

Ca - Chancellor silty clay loam - These are poorly drained soils that should be drained if problems with ponding occur. These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT:

It is recommended that in establishing your truck garden that you review the various vegetables and fruits for their salt tolerances, before selecting those you wish to grow. This information will also be beneficial in establishing an overall management plan for the project.

Jack M. J. J.
SIGNATURE

11-10-83
DATE

Cooperative Extension Service

agriculture • 4-H • home economics



Yankton County

December 16, 1983

P. O. Box 668
YANKTON, SOUTH DAKOTA 57078
PHONE 665-3387

Betty Westlund
Water Resources Analyst
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Dear Betty,

Enclosed is the information you requested of Robert Karolevitz,
Mission Hill, S.D.

Enclosed are:

1. Two copies of Form 2, Application to Appropriate Water.
2. Two copies of Form 2A, Supplemental Information.
3. Two copies of the aerial photo, indicating which areas will be irrigated in Sec. 22 and signed.
4. Well Drillers Log
5. Fee of \$150.00

Note that the legal descriptions indicate a total of 70 acres. In the third area described only 30 of the 40 acres will be irrigated. The rest will be a retail store and roads.

Also I talked to Kevin Larson on 12/16/83 about the fact that the legal descriptions of the land were different than those on the application sent in to the Department of Ag and on the water sample.

These legal descriptions were wrong but should still be OK as Kevin indicated because they include the 60 acres that will be irrigated.

If you have any questions give me a call.

Sincerely,

Davin Hubbs
County Extension Agent



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

file copy

December 23, 1983

Robert Karolevitz
RR#1, Box 134
Mission Hill, South Dakota 57046

Dear Mr. Karolevitz:

Enclosed please find your application for a water permit along with your check No. 7717 in the amount of \$150.00. The land descriptions and the diversion point of the well is not the same on the WI-1 and the application. Also the land description on the water permit application differs from the area shown on the map.

It will be necessary to re-apply with the correct land description and the point of diversion on both the water permit application and on the WI-1. (A new water sample will not be necessary) The lands shown on the map must correspond with the application and the WI-1. Your check is also being returned as the lands shown on the map seem to be more than 60 acres even with the portion of acres taken off for a retail store and roads.

Upon receipt of the above information, further processing of your application will proceed. If you have questions please contact our office. The drillers log and other correspondence will be retained in our office until the corrected forms are received. We have discussed this application with the Division of Conservation and if you have any questions on the WI-1 you can contact Jim Stukel, Division of Conservation, Anderson Building, Pierre, South Dakota 57501, phone No. 773-3259. To advertise your water permit application to be heard before the Water Management Board for approval at their April 1984 meeting, approval from the State Conservation Commission must be received first. Their next meeting is January 12, 1984.

Sincerely,

Betty Westlund
Water Resources Analyst

BW:ms

cc: Jim Stukel

Enc. WI-1

Form 2 (2)

Inst Sht.

1/2/84: returned the application & fee and was still incorrect. Called Darwin Hutto and after discussion he was not going from the center of the section. Sent corrected appl & WI-1 back 1/3/84 for Karolevitz's signature along with corrected soil maps.

Betty Westlund

Equal Opportunity Employer

Robert Karolevitz application

January 4, 1984

Davin Hubbs
County Extension Agent
POB 668
Yankton, South Dakota 57078

Dear Mr. Hubbs:

Enclosed are the new partially completed water permit applications and WI-1 for Mr. Karolevitz's signature as we discussed over the phone January 3, 1984. Also enclosed are the soils maps, showing the section.

Return as soon as possible so the WI-1 can be brought before the State Conservation Commission on January 12, 1984. Upon receipt of the approved soil/water compatibility further processing of your water permit application will proceed.

Sincerely,

Betty Westlund
Natural Resources Analyst III

BW:ms
Enc.

cc: Jim Stukel

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: _____

OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: _____

PHONE: _____

TENANT'S NAME AND ADDRESS: _____

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

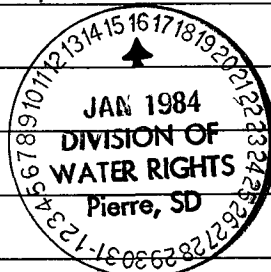
1. WELL LOCATION _____

Depth _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location _____

Legal Description	Acres	Legal Description	Acres
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



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

LEGAL DESCRIPTION: _____

IN WHAT NAME: _____

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

OTHER: _____

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

6. CROPS TO BE IRRIGATED: _____

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

7. WATER SAMPLE NUMBER: _____ **3** _____

10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10⁶): _____

11. PERCENT SODIUM _____

9. SODIUM (SAR): _____

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____ by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

_____ DAY OF _____, 19____.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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 Board of Water Management, Foss Building, Pierre.

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

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: _____

LEGAL DESCRIPTION: _____

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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



RECOMMENDED MANAGEMENT:

RECOMMENDED MANAGEMENT: _____

SIGNATURE

DATE

REPORT ON WATER PERMIT APPLICATION NO. 4997-3

ROBERT AND PHYLLIS KAROLEVITZ

March 8, 1984

Water Permit Application No. 4997-3 proposes to divert 0.71 cubic feet per second from one 195 feet deep well to irrigate 50 acres in Yankton County. (Section 22, T94N, R55W). The proposed water source is the Lower-James Missouri Aquifer.

Discussion

The Lower James-Missouri Aquifer contains an estimated 3,906,050 acre feet of recoverable water in storage in Clay, Hutchinson, Bon Homme, and Yankton Counties.¹ It is a glacial aquifer which is under both artesian and water table conditions in different areas.

There are 16,476.6 acre feet of water appropriated from the Lower James-Missouri aquifer,² which is 0.4% of the estimated recoverable storage. Maximum annual use of water from the aquifer was 1,954 acre feet in 1981.³

Water Rights observation wells YA-78E and YA-78I monitor water levels of the Lower James-Missouri Aquifer in the area. Logs of the two wells indicate that the aquifer is under artesian conditions in this area, but water level records show very little fluctuation in artesian level. There is no indication that the water supply of the aquifer is being depleted.

Permit No. 4443-3 is the closest irrigation permit in the Lower James-Missouri Aquifer with a well located about one mile from Application No. 4997-3. Development of the proposed well should not cause interference problems with existing permits.

Conclusions

1. Unappropriated water is available for Water Permit Application No. 4997-3.
2. Based on available data, development of Water Permit Application No. 4997-3 will not cause interference problems with existing irrigation wells in the Lower James-Missouri Aquifer.



FRANK SMITH

Water Resources Engineer

References

1. Hedges, Burch, Iles, Barari, Schoon, "Evaluation of Ground Water Resources, Eastern South Dakota and Upper Big Sioux Basin South Dakota and Iowa",
2. Water Rights Files, Dept. of Water and Natural Resources, Div. of Water Rights, Pierre SD, 1984.
3. Irrigation Questionnaire File, Div. of Water Rights, Pierre SD, 1984.
4. Observation Well File, Div. of Water Rights, Pierre SD, 1984.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER
PERMIT APPLICATION NO. 4997-3, Robert & Phyllis Karolevitz

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. 4997-3, Robert & Phyllis Karolevitz, RR 1, Box 134, Mission Hill SD.

The Chief Engineer is recommending APPROVAL of Application No. 4997-3 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 8, 1984

Instruction to Newspaper - Publish first publication of the following Notice on or before March 12, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4997-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Robert & Phyllis Karolevitz whose mailing address is RR 1, Box 134, Mission Hill, South Dakota has made an application for a permit to appropriate 0.71 cubic feet per second from groundwater, one well 195 feet deep. The point of diversion is to be located in the NE 1/4 NW 1/4, Section 22, T94N, R55W. The water is to be used for the purpose of providing irrigation of 50 acres in the NE 1/4 NE 1/4 SW 1/4 and N 1/2 N 1/2 SE 1/4, all in Section 22, T94N, R55W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 4997-3 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 Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota on April 25 19 84 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 petitioners 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) 46-5-30 thru 46-5-40; (transfer lands) 46-5-30.1, 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, DWRN, 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. 4997-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yankton) ss.

I, Larry Benson hereby

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

Water was taken from the Yankton Daily Press & Dakotan

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

Press & Dakotan of Yankton, SD

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

March 13, 1984

March 20, 1984

Larry A Benson
(Signature)

P & D Business Manager
(Title)

2/20/84
(Date Signed)

Cost of Printing: \$42.70

3+13&20
NOTICE OF HEARING ON
APPLICATION NO. 4997-3
TO APPROPRIATE WATER

Notice is hereby given that Robert and Phyllis Karolevitz whose mailing address is RR 1, Box 134, Mission Hill, South Dakota has made an application for a permit to appropriate 0.71 cubic feet per second from groundwater, one well 195 feet deep. The point of diversion is to be located in the NE 1/4 NW 1/4, Section 22, T94N, R55W. The water is to be used for the purpose of providing irrigation of 50 acres in the NE 1/4 NE 1/4 SW 1/4 and N 1/2 N 1/2 SE 1/4, all in Section 22, T94N, R55W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 4997-3 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.

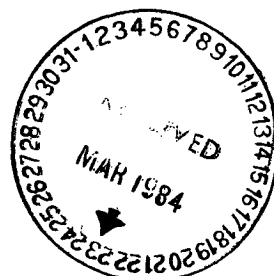
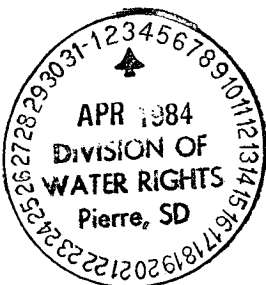
This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota on April 25, 1984 at 10:00 a.m.

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 46-1-9, 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; 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, S.D. (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.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

4997-3

May 7, 1984

Robert & Phyllis Karolevitz
Route #1, Box 134
Mission Hill, South Dakota 57046

Dear Mr. & Mrs. Karolevitz:

Enclosed herewith is your Water Permit No. 4997-3 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. 4997-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 1992

4997-3

Patrick Garrity
RR. #1 Box 140
Mission Hill, SD 57046

Dear Mr. Garrity:

I am contacting you in regard to ownership of Water Permit No. 4997-3, currently listed in the name of Robert and Phyllis Karolevitz. You notified our office on your 1991 irrigation questionnaire that you and Jan Garrity were now owners of the property.

In order to change the name on the permit, you will need to file a "Notice of Transfer of Ownership". I am enclosing a partially completed form. Please complete the form and sign it in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

Water Right No. 4997-3 will be transferred to your name(s) upon receipt of the completed form and filing fee in our office. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure: transfer form



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 18, 1992

**SECOND NOTICE
PERMIT NO. 4997-3**

Patrick Garrity
RR 1, Box 140
Mission Hill, SD 57046

Dear Mr. Garrity:

On October 6, 1992, notice was sent to you concerning the transfer of Water Permit No. 4997-3 in the name of Robert and Phyllis Karolevitz. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water permit can then be transferred to your name. If you are not the present owner of the land covered under this water permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

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:

4997-3

Patrick Garrity
RR 1, Box 140
Mission Hill, SD 57046

4a. Article Number

P 906 559 961

4b. Service Type

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

7. Date of Delivery

12-19 K2

5. Signature (Addressee)

6. Signature (Agent)

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4997-3

Date: _____



I\We request that Water Permit No. 4997-3

formerly owned by: Robert and Phyllis Karolevitz, RR #1 Box 134, Mission Hill, SD 57046

be transferred to: (name & address) Patrick and Jan Garrity
RR 1 Box 140 Mission Hill SD (Telephone No.) 605-665-2806
57046

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

NE 1/4 NE 1/4 SW 1/4 and N 1/2 N 1/2 SE 1/4 Section 22, T94N, R55W

I\We understand that the validity of Water Permit No. 4997-3 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Yankton)

I\We Patrick and Jan Garrity being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Patrick and Jan Garrity
(Signed)

Subscribed and sworn to before me this 21st day of December, 1992

John L. Lemonsen
(Notary Public)

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 31, 1992

4997-3

Patrick & Jan Garrity
RR #1 Box 140
Mission Hill, SD 57046

Dear Mr & Mrs Garrity:

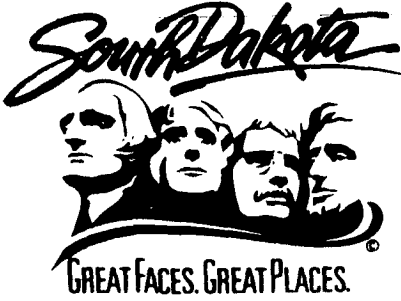
The "Notice of Transfer of Ownership" you submitted for filing an ownership change on Water Permit No. 4997-3 was received in our office December 23, 1992. The form was completed properly, however, it can not be filed for record without a required filing fee of \$2.50.

Please remit the \$2.50 filing fee as soon as possible. Water Permit No. 4997-3 will be transferred to your names upon receipt of the filing fee in our office.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 8, 1993

No. 4997-3

Patrick and Jan Garrity
RR 1, Box 140
Mission Hill, SD 57046

Dear Mr. and Ms. Garrity:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4997-3.

Our records now show you as the owner of Water Permit No. 4997-3.

Sincerely,

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

enclosure

RECEIPT

Division of Water Rights

413582

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 6 _____, 1993

RECEIVED OF Patrick and Jan Garrity, RR 1 Box 140, Mission Hill, SD 57046

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>Water Permit No. 4997-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatch

REPORT ON INSPECTION OF PERMIT NO. 4997-3

DATE OF INSPECTION: July 31, 1995

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: 3240' N38°W from the SE corner of Sec.22, T94N-R55W,
(NW¼ NE¼ NW¼ SE¼ Sec. 22, T94N-R55W)

WELL INFORMATION:

- 1) Well Drilling Firm: **Wetmore Drilling**
- 2) No. of Wells **one**
- 3) Depth(s) **200** feet
- 4) Well log is available **no (checked with Mike Wetmore via telephone 12/28/95)**

Casing:

- 1) Diameter **8** inches
- 2) Length **N/A** feet
- 3) Type **steel**

Screen:

- 1) Type **N/A**
- 2) Length **N/A** feet
- 3) Static water level **140' (reported by Garrity)** feet

Pump:

- 1) Make **Grundfos**
- 2) Model **125S**
- 3) Size **6-inch**
- 4) Capacity **125** GPM

Motor:

- 1) Make **Franklin**
- 2) Horsepower rating **10** hp

DISTRIBUTION LINES OR CANALS:

- A.** 1) Type **PVC** 2) Size **4** inches 3) Length **990'** feet

DISTRIBUTION LINES OR CANALS(cont):

B 1) Type PVC 2) Size 3 inches 3) Length 1430' feet

C 1) Type PVC 2) Size 2 inches 3) Length 990' feet

SYSTEM TYPE:**Drip Irrigation:**

The orchard consists of approximately 3,000 trees which are planted in 35 rows. Every tree row is approximately 1650 feet long and supplied by a 5/8" diameter plastic line. A one gallon per minute emitter is located at each tree. The orchard is divided into three areas with 12 rows per area. Each area is controlled by a hydrant. All of the trees can be watered at the same time. Water is applied at 120 gpm for 5 days/application (120 gallons/tree/application).

The strawberries are irrigated through Bi-wall irrigation trickle tape. A line of tape is located under each row. There are 30 rows/acre and 1 hydrant/30 rows. Each hydrant emits 47 gpm. Two hydrants can be run at the same time. Water is applied at a rate of 24 hours/application.

CHEMIGATION EQUIPMENT:

1) Does chemigate no

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

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

DATE: December 29, 1995

RE: Change in Location of Diversion Point for Water Permit No. 4997-3 (Pat and Jan Garrity)

An inspection of Permit No. 4997-3 found the diversion point in a location not authorized by the permit. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional point of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Permit No. 4997-3, approved in 1984, appropriates 0.71 cubic feet of water per second (cfs) from groundwater to irrigate 50 acres. The diversion point was to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T94N-R55W. The acres to be irrigated are located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22, T94N-R55W. An inspection of Water Permit No. 4997-3 found the works capable of diverting 0.28 cfs from one well (Lower James Missouri Aquifer) located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.22, T94N-R55W.

A review of existing diversions in the area was conducted based on Water Rights Program records. This review indicates that this well location change does not change

the potential to impact existing domestic or appropriative rights from the Lower James Missouri Aquifer. The diversion point has been in operation at the described location for several years with no known controversy.



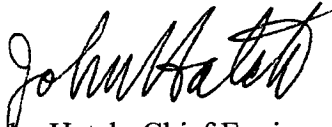
Ken Buhler

Natural Resources Engineer

DENR, Water Rights Program

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding “does not increase the potential for interference” is interpreted to mean potential for adverse interference. Water Permit No. 4997-3 may be licensed without requiring an application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for a change of diversion point.

Approved by:



John Hatch, Chief Engineer
Water Rights Program

Permit No. 4997-3
Vermillion River - Water District

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

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

I have this day, July 31, 1995, made a thorough examination of the water use system constructed by Robert and Phyllis Karolevitz (now owned by Patrick and Jan Garrity) of RR 1, Box 140, Mission Hill, SD holder of Permit No. 4997-3, bearing the priority of December 19, 1995 authorizing the diversion of 0.71 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from an 8" diameter well 200 feet deep located 3240' N38°W from the South East Corner of Sec. 22, T94N-R55W, (NW¼ NE¼ NW¼ SE¼ Sec.22, T94N-R55W). The well uses a 6" diameter Grundfos Pump (Model #125S); powered by a 10 HP electric Franklin motor.

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

Water is transported through 990' of 4" diameter , 1430' of 3" diameter, and 990' of 2" diameter PVC pipe.

C. Works used to apply water to beneficial use:

Water is put to beneficial use through a drip irrigation system for fruit trees and strawberries.

The system is in the following condition good. The point of diversion is located 3240' N38°W from the SE corner of Sec. 22, T94N-R55W, (NW¼ NE¼ NW¼ SE¼ Sec. 22, T94N-R55W). The works are capable of diverting and conveying to the place of use 0.28 cu. ft. per second of water which is to be used for irrigation.

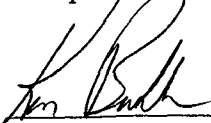
Water has been put to beneficial use to the maximum extent as follows:

<u>NE¼ SW¼ Sec. 22, T94N-R55W</u>	<u>13 acres</u>
<u>NW¼ SE¼ Sec. 22, T94N-R55W</u>	<u>17 acres</u>
<u>NE¼ SE¼ Sec.22, T94N-R55W</u>	<u>2 acres</u>

comprising a total of 32 acres of land and the license should be issued for 0.28 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: N/A



Ken Buhler

Natural Resources Engineer

DENR, Water Rights Program

12/29/95

Date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 8, 1996

4997-3

Jan and Patrick Garrity
30661 444th Ave.
Mission Hills, SD 57046

Dear Mr. and Ms. Garrity:

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. 4997-3, 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.

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

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 27 1996

4997-3

Pat and Jan Garrity
30661 444th Ave.
Mission Hill, SD 57046

Dear Mr. and Ms. Garrity:

Enclosed is Water License No. 4997-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414943 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. 4997-3, 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 Program
(605) 773-3352

gm
enclosures

RECEIPT

414943

Division of Water Rights

South Dakota Department of Environment and Natural Resources

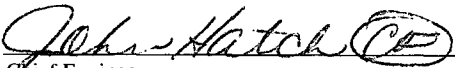
Pierre, _____ May 6, 19 96

RECEIVED OF Pat or Jan Garrity, 30661 44th Ave., Mission Hill, SD 57046

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4997-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4997-3

(1) Robert & Phyllis Karolevitz of Mission Hill, SD 57046 made Application No. 4997-3, December 19, 1983 for a water permit to appropriate 0.71 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 4997-3, with a priority date of December 19, 1983 was approved April 25, 1984 and issued to the applicants 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.

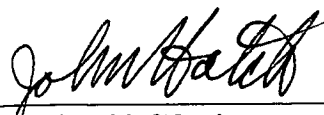
On December 23, 1992, Water Permit No. 4997-3 was transferred to Patrick and Jan Garrity.

(2) It is certified that the permit holders have 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 0.28 cubic feet of water per second for beneficial use. The location of the diversion point is 3240' N38°W of the SE corner of Section 22, T94N, R55W (NW 1/4 SE 1/4).

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

Section 22, T94N, R55W	NE 1/4 SW 1/4	13 acres
	NW 1/4 SE 1/4	17 acres
	NE 1/4 SE 1/4	2 acres
	TOTAL	32 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Patrick & Jan Garrity of 30661 444th Ave., Mission Hill, SD 57046 the holders and/or owners of Water Permit No. 4997-3 are issued a license to appropriate water, the right to use 0.28 cubic feet of water per second from ground water (one well) with a priority date of December 19, 1983 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4997-3 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 27 1996

date



WETMORE DRILLING

Mike Wetmore
Geologist



Office: 1-800-399-7713
(605) 356-3757
P. O. Box 880
Elk Point, SD 57025

Shop: (605) 356-2248
I-29 Exit 15
Elk Point, SD 57025

Cellular: (712) 251-7599

Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-9935

Re: Pat Garrity completion report

Gentlemen:

Per your telephone request, we have searched our files for well completion information for the above named well owner. Unfortunately, we have been unable to discover any completion information in our records.

We realize the value of complete and accurate well information. In that regard, if your office should uncover any information regarding this well, we would appreciate a copy of that information so that we can update our own files.

If you have any questions, please feel free to give us a call. Thank you.

Sincerely,

WETMORE DRILLING

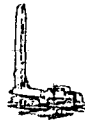
Mike Wetmore



22
ANSSW

9997-3

~~SEE NOTE X7~~
~~FOR CORRECT~~
~~FILE LOCATION~~



WETMORE DRILLING

P.O. BOX 577 · ELK POINT, SOUTH DAKOTA 57025 · (605) 356-3272

WELL LOG for Robert Karolevitz

Rt. 1 Box 134
Mission Hill, SD 57046
94 2A

SW $\frac{1}{4}$ sec 22 T-92-N R-55 W

Test Hole

0 - 2'	Topsoil
2 - 61'	Clay
61 - 92'	fine sand & clay
92 - 200'	coarse sand & gravel
Static water level 86'	

James Wetmore

James Wetmore

Wetmore Drilling
P.O. Box 577
Elk Point, SD 57025



~~SEE NOTE~~
~~SEE NOTE~~
~~SEE NOTE~~

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

PATRICK & JAN GARRITY
30661 444TH AVE
MISSION HILL SD 57046 6012

4a. Article Number

119141 204

4b. Service Type

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

7. Date of Delivery

1-12-98 KB

5. Received By: (Print Name)

8. Addressee's Address (Only if requested)

6.

PS



4997-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: PATRICK & JAN GARRITY, 30661 444TH AVE, MISSION HILL, SD 57046 6012

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s)4997-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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) 4997-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4997-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1998

4997-3

Patrick & Jan Garrity
30661 444th Ave
Mission Hill, SD 57046-6012

Dear Mr. & Mrs. Garrity:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 4997-3.

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



4997-3
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 14, 2004

NOTICE

TO: PATRICK & JAN GARRITY, 30661 444TH AVE, MISSION HILL, SD 57046 6012
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 4997-3 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 3, 2004 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) 4997-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



4997-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9098

Your item was delivered at 1:43 pm on January 15, 2004 in MISSION HILL, SD 57046. The item was signed for by P GARRITY.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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SIGNATURE CONFIRMATION NUMBER:

2301 3460 0000 8515 9098

PATRICK & JAN GARRITY
30661 444TH AVE
MISSION HILL SD 57046 6012

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®
☐ Package Services



**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 21, 2004

4997-3

Patrick & Jan Garrity
30661 444th Ave
Mission Hill SD 57046 6012

Dear Mr. & Mrs. Garrity:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 4997-3.

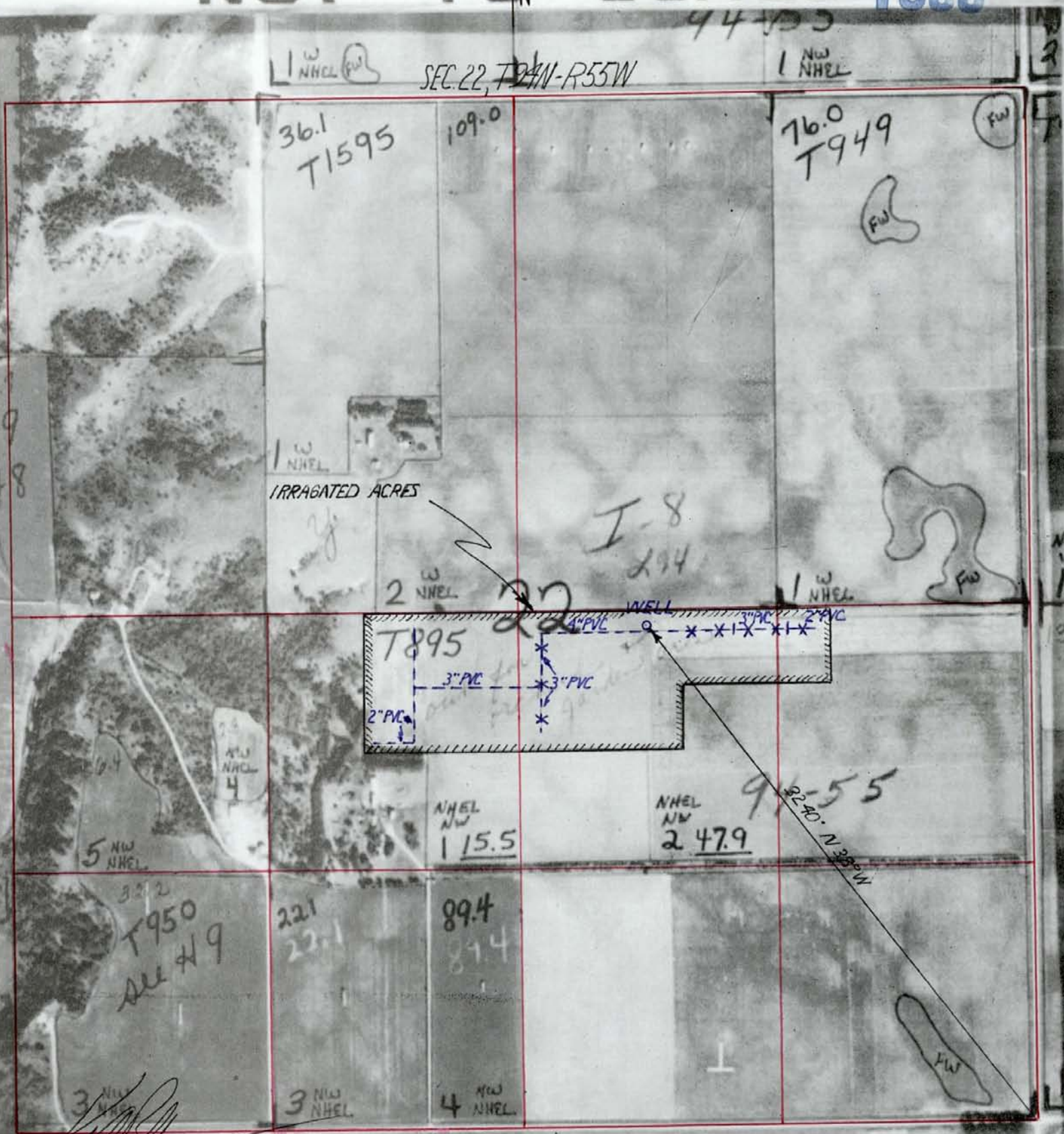
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

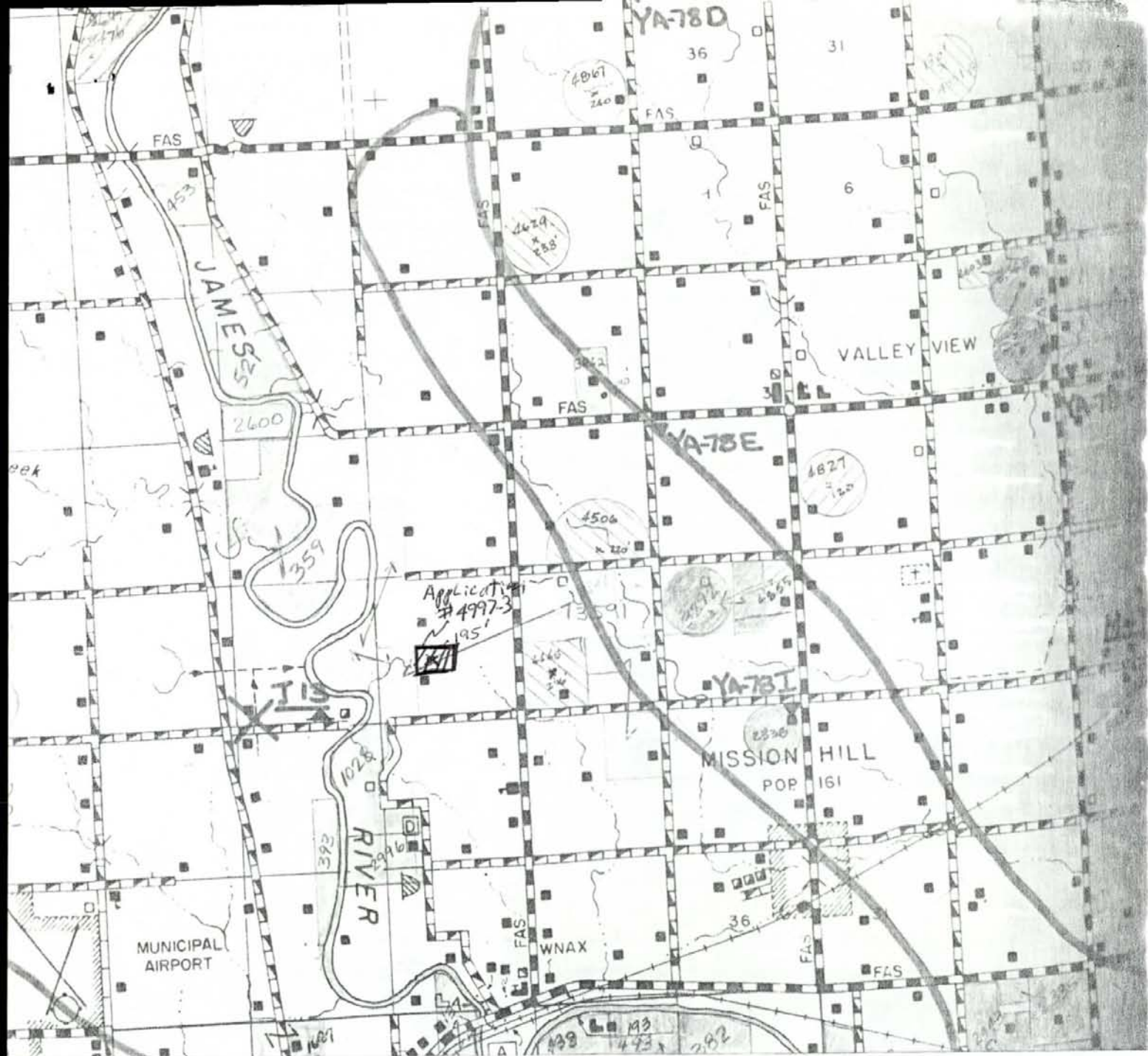
Sincerely,

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

NOT TO SCALE 1995



KEN BUHLER
NATURAL RESOURCES ENGINEER
DENR - WATER RIGHTS







Appl & Map # 4997-3

Copy

1 (Joins sheet 27)

50 acres
Darwin Hall 23
EdA
Co. Agent Yorkston
E

1. 1E4 SW4

$N\frac{1}{2}$ $N\frac{1}{2}$ $SE\frac{1}{4}$

27

26

5

10

16

21

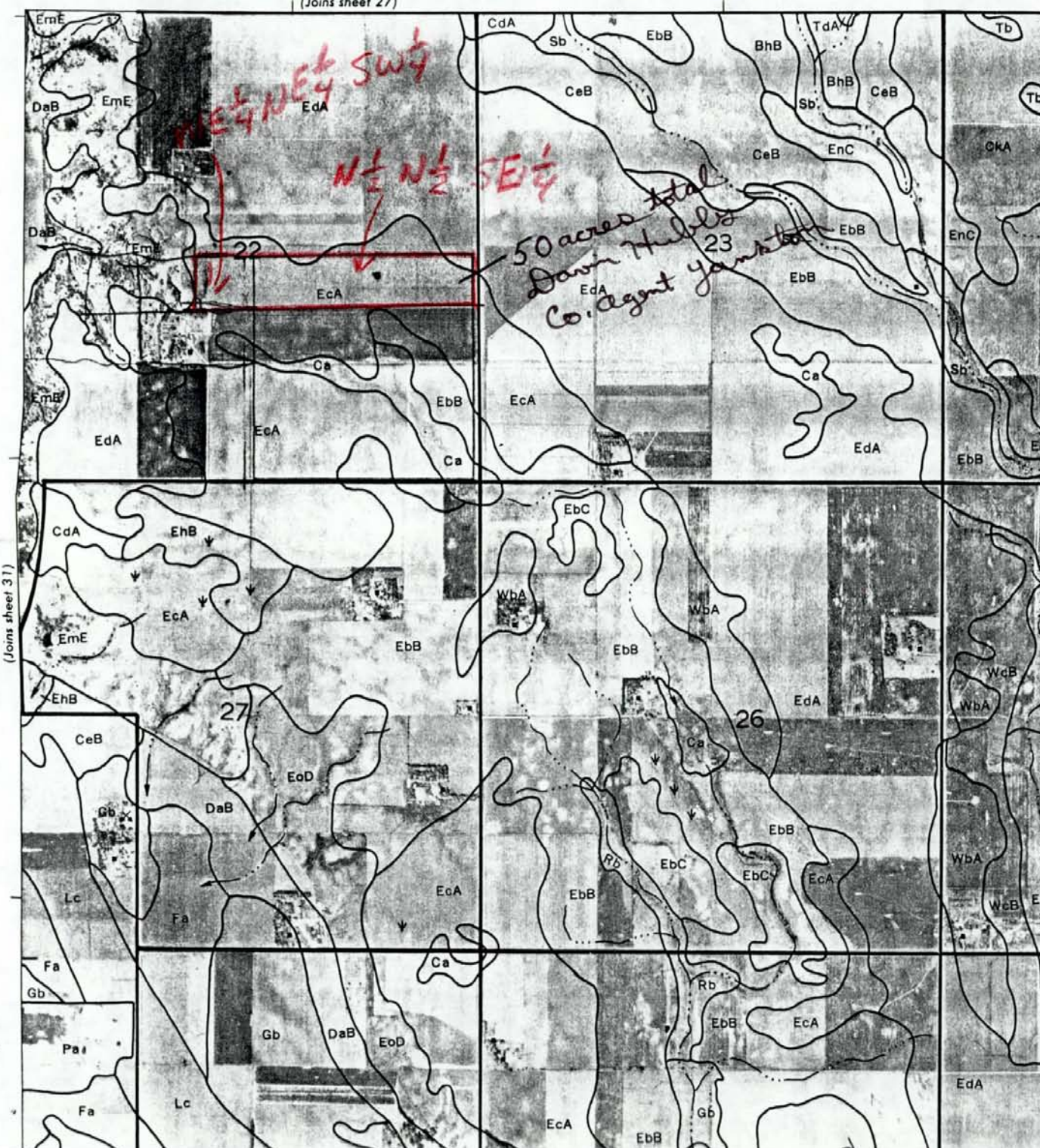
27

32

38



Scale · 1:20000



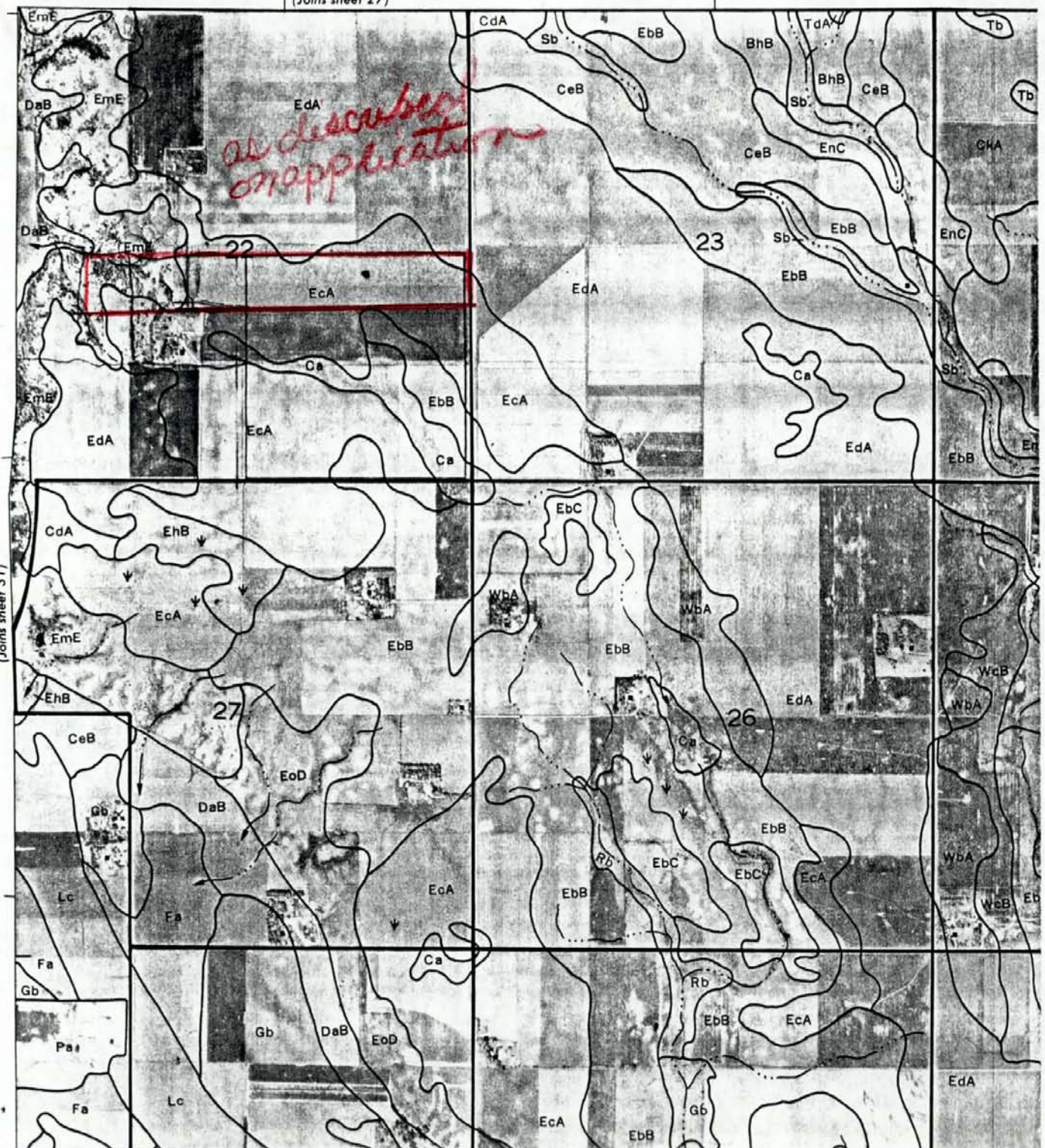
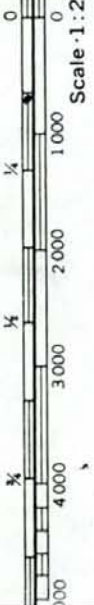


(Joins sheet 27)

1 Mile
5,000 Feet

Scale 1:20,000

(Joins sheet 31)



As described on Application

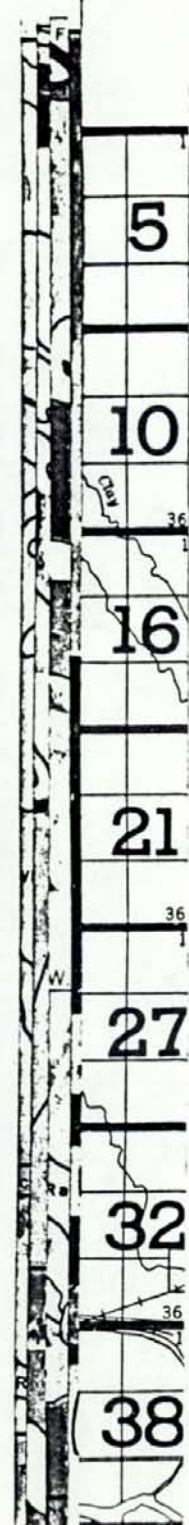
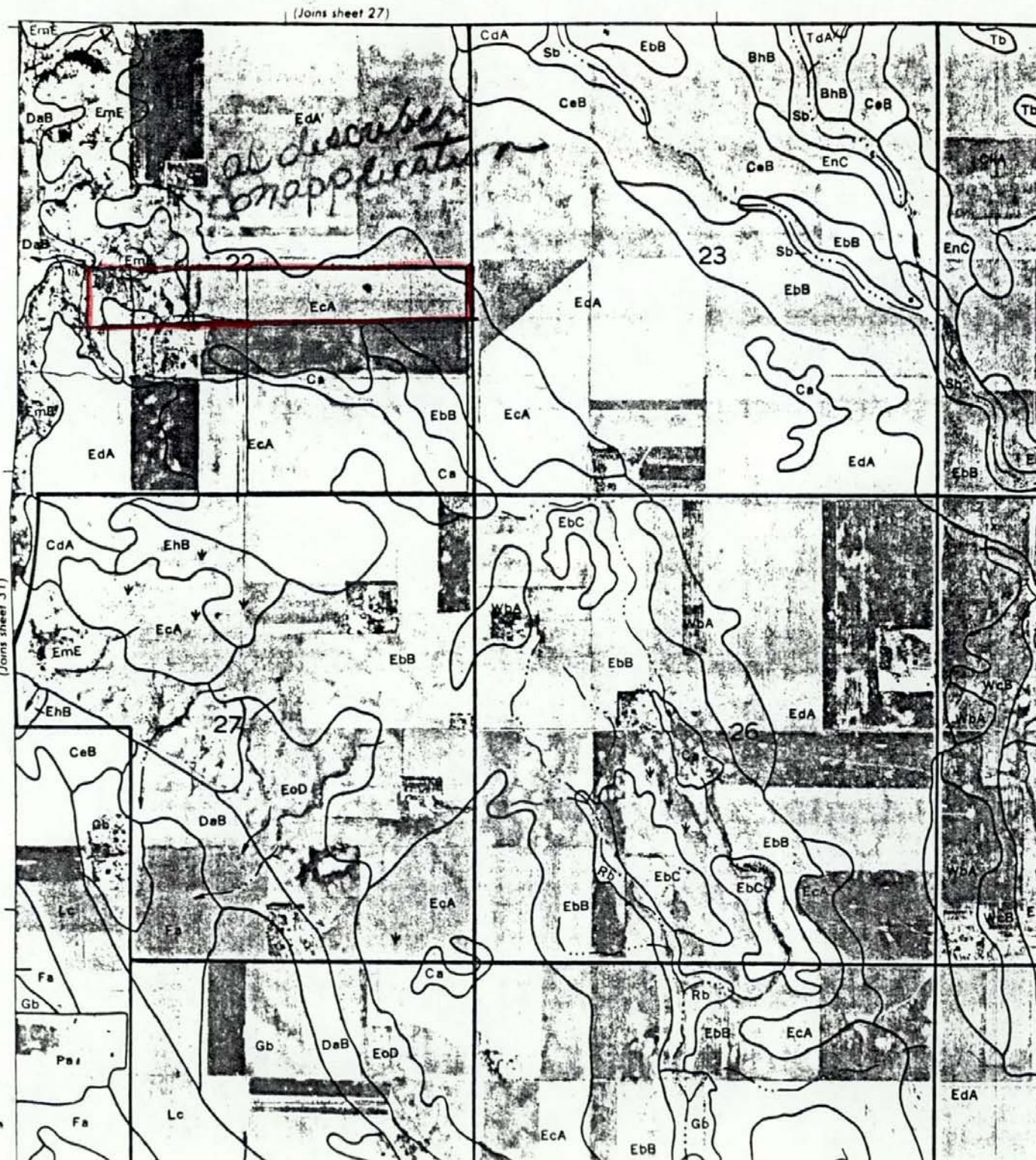
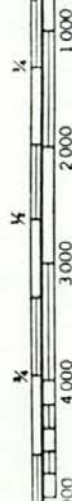
Copy

R 56 W



1 Mile
5000 Feet

Scale 1:20000
(Joins sheet 31)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2006

4997-3

Patrick & Jan Garrity
1505 Jolane Dr
Yankton SD 57078-2429

Dear Mr. & Mrs. Garrity:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to 30661 444th Ave, Mission Hill SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



**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 2, 2007

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

I am writing to acknowledge receipt of the 2006 irrigation questionnaire for Water Right No. 4997-3 and the note concerning the change in ownership. I have included a copy of the water right for your review.

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

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

Sincerely,

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

enclosures



**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 23, 2007

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

In January, we forwarded you a "Notice of Transfer of Ownership" form to complete and return to us for filing an ownership change with Water Right No. 4997-3, currently listed in the name of Patrick Garrity. This was done based on the information contained on the 2006 irrigation questionnaire. To date, we have not received anything back from you.

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

If you do not own the land and we should be contacting someone else, please let us know.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 25, 2007

4997-3

Dale & Rena Hebda
44352 308th St
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

In January and May of this year, I forwarded you a "Notice of Transfer of Ownership" form to complete and return to us for filing an ownership change with Water Right No. 4997-3, listed in the name of Patrick Garrity. To date, we have not received anything back from you.

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

It is important that ownership records be kept current. The Yankton County Assessor's Office has you listed as owners of the land, however if you do not wish to maintain the water right, please get in touch with me.

Sincerely,

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

enclosure



**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: DALE & RENA HEBDA (OPERATORS), 44352 308TH ST, MISSION HILL, SD 57046
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) 4997-3. 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) 4997-3 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) 4997-3 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/efrms/secure/efrms/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.

4997-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 2939
Status: **Delivered**

Your item was delivered at 2:27 PM on January 22, 2008 in MISSION HILL, SD 57046. The item was signed for by R HEBDA.

Track & Confirm

Enter Label/Receipt Number.

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No FEAR Act EEO Data

FOIA

United States
Postal ServiceUnited States
Postal ServiceSIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 2939

DALE & RENA HEBDA (OPERATORS)
44352 308TH ST
MISSION HILL SD 57046

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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www.usps.com[®]
or call 1-800-222-1811

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☐ First-Class Mail[®] parcel
☐ Package Services parcel

RECEIVED

MAR 3 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4997-3

Date: _____

I/We request that Water Right No. 4997-3

formerly owned by: Patrick and Jan Garrity

be transferred to: (name & address) Dale & Rena Hebl

30661 44th Ave.

Mission Hill, SD 57046 Telephone No. 605-665-2806

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

32 acres - NE 1/4 SW 1/4, N 1/2 SE 1/4 Section 22, T94N, R55W

I/We understand that the validity of Water Right No. 4997-3 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 Dale & Rena Hebl, the new owner, certify that the above information is true and correct.

Rena Hebl

(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 3/3, 2008

RECEIVED OF Dale Hebda 148 Dayton Lane Tabor SD 57063

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 4997-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2	50

No.

63002

By

Michael Erbels
Chief Engineer



**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 4, 2008

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

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. 4997-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

We have also received the ownership change and filing fee for transferring the water right to your names. The transfer has been completed. The water right formerly listed in the names of Patrick and Jan Garrity is now listed in your names.

Enclosed is your Receipt No. 03562 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

enclosure



4997-3
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, 2009

NOTICE

TO: DALE & RENA HEBDA, 30661 444th AVE, MISSION HILL, SD 57046
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 4997-3 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, 2009** 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) 4997-3 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 6, 2009**, 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/E0455V7-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.

4997-3

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Label/Receipt Number: **2303 2160 0000 0802 6777**
Status: **Delivered**

Your item was delivered at 1:08 PM on January 29, 2009 in MISSION HILL, SD 57046. The item was signed for by R HEBDA.

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FOIA

Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6777

DALE & RENA HEBDA
30661 444th AVE
MISSION HILL SD 57046

ing.

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

March 5, 2009

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 4997-3.

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

If you have any questions, please contact me.

Sincerely,

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



4997-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 21, 2011

NOTICE

TO: DALE & RENA HEBDA, 30661 444th AVE, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 4997-3 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 9, 2011** 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) 4997-3 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, 2011**, 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.

4997-3

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Detailed Results:

- Delivered, January 22, 2011, 2:38 pm, MISSION HILL, SD 57046
- Arrival at Post Office, January 22, 2011, 9:00 am, MISSION HILL, SD 57046
- Processed through Sort Facility, January 22, 2011, 3:53 am, SIOUX FALLS, SD 57104

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FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 0157

DALE & RENA HEBDA
30661 444th AVE
MISSION HILL SD 57046

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 9, 2011

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 4997-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4997-3
DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

January 24, 2012

NOTICE

TO: DALE & RENA HEBDA, 30661 444th AVE, MISSION HILL, SD 57046
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4997-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4997-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



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February 1, 2012

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

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

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 4997-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I noticed on the form that you would like to increase the irrigated acreage to 50 acres. I have enclosed a set of application forms for this purpose. It can take anywhere from 2-3 months or longer to go through the permitting process. If you plan on developing the irrigation this spring, please complete and return the application as soon as possible.

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: Copy of Water Right No. 4997-3
New application forms and instruction sheet



4997-3
DEPARTMENT of ENVIRONMENT
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January 16, 2015

NOTICE

TO: DALE & RENA HEBDA, 30661 444th AVE, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4997-3 qualification:

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

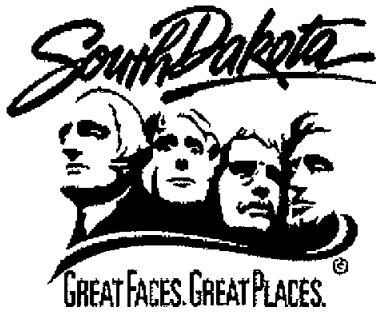
The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4997-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
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February 25, 2015

4997-3

Dale & Rena Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. & Mrs. Hebda:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 4997-3. The information was received in our office prior to the Water Management Board meeting and your names have 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



4997-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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January 20, 2017

NOTICE

TO: DALE HEBDA, 30661 444th AVE, MISSION HILL, SD 57046

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) 4997-3. 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) 4997-3 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) 4997-3 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.



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LOCATION

January 23, 2017 , 12:14
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Individual

MISSION HILL, SD 57046

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January 23, 2017 , 1:12 am

Departed USPS Origin
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SIOUX FALLS, SD 57104

January 21, 2017 , 3:30 pm

Arrived at USPS Origin
Facility

SIOUX FALLS, SD 57104

January 20, 2017 , 9:19 pm

Arrived at USPS Origin
Facility

HURON, SD 57399

January 20, 2017 , 6:33 pm

Departed Post Office

PIERRE, SD 57501

January 20, 2017 , 2:16 pm

Acceptance

PIERRE, SD 57501

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PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions	



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March 2, 2017

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Dale Hebda, 30661 444th Ave, Mission Hill SD 57046

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Right No. 4997-3

On March 1, 2017, the Water Management Board ordered:

Effective April 1, 2017, Water Right No. 4997-3 be suspended for the 2017 irrigation season for failure to submit the 2016 irrigation questionnaire.

If the 2016 irrigation questionnaire is received prior to April 1, 2017, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2017 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2017 unless the 2016 irrigation questionnaire is submitted by April 1st.

After April 1st, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2016 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 10-11, 2017, in Pierre, SD. The letter should include your reasons for not completing the 2016 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

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DATE & TIME	STATUS OF ITEM	LOCATION
March 6, 2017 , 1:37 pm	Delivered, Individual Picked Up at Post Office	MISSION HILL, SD 57046

Your item was picked up at the post office at 1:37 pm on March 6, 2017 in MISSION HILL, SD 57046.

March 4, 2017 , 2:10 pm	Available for Pickup	MISSION HILL, SD 57046
March 4, 2017 , 11:52 am	Notice Left (No Authorized Recipient Available)	MISSION HILL, SD 57046
March 4, 2017 , 3:09 am	Departed USPS Facility	SIOUX FALLS, SD 57104
March 3, 2017 , 1:18 pm	Arrived at USPS Facility	SIOUX FALLS, SD 57104
March 2, 2017 , 9:57 pm	Arrived at USPS Facility	HURON, SD 57399
March 2, 2017 , 6:28 pm	Departed Post Office	PIERRE, SD 57501
March 2, 2017 , 3:30 pm	Acceptance	PIERRE, SD 57501

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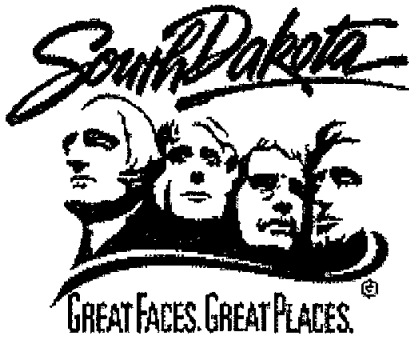
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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 9, 2017

4997-3

Dale Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. Hebda:

On March 1st the Water Management Board ordered Water Right No. 4997-3 suspended if the 2016 irrigation questionnaire was not received prior to April 1, 2017. The questionnaire information for your water right has been received.

Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. You may irrigate during the 2017 irrigation season.

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

Sincerely,

A handwritten signature in black ink that reads "Jeanne Goodman". The signature is fluid and cursive, with a long, sweeping underline.

Jeanne Goodman, Chief Engineer
Water Rights Program



4997-3
DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

January 26, 2018

NOTICE

TO: DALE HEBDA, 30661 444th AVE, MISSION HILL, SD 57046
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 4997-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 4997-3 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 7, 2018** 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.



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www.denr.sd.gov

February 8, 2018

4997-3

Dale Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. Hebda:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire. You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 4997-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In follow-up to our phone conversation, if you decide to irrigate more acreage than what is authorized under your water right, you will need to apply for a permit for additional acreage. Enclosed is an application and instruction sheet for your use. Typically it takes roughly two months for an application for irrigation to get through the process and a permit issued.

I have also enclosed a copy of your water right outlining what is currently covered. If you have any questions, please contact me.

Sincerely,

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

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



4997-3
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: DALE HEBDA, 30661 444th AVE, MISSION HILL, SD 57046
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) 4997-3. 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) 4997-3 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) 4997-3 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.

4997-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 2019

4997-3

Dale Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. Hebda:

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

The information was received in our office prior to the Water Management Board meeting and no action was taken by the Board. You are up to date for another year. The next questionnaire will be sent to you in October, 2019. Please try and get the questionnaire information in to our office by the deadline.

If you have any questions, please contact me.

Sincerely,

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



4997-3
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: DALE HEBDA, 30661 444th AVE, MISSION HILL, SD 57046

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) 4997-3. 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) 4997-3 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:

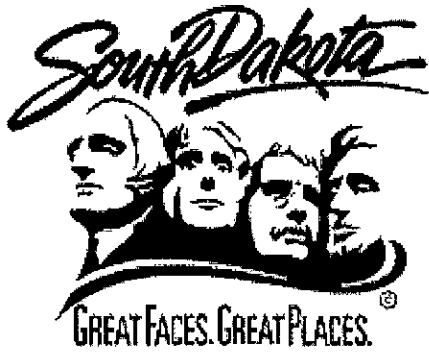
1. Suspend or cancel Permit No(s) 4997-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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: DUSOSW**

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.

4997-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 2020

4997-3

Dale Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. Hebda:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 4997-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



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

January 20, 2022

NOTICE

TO: DALE HEBDA, 30661 444th AVE, MISSION HILL, SD 57046
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 4997-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4997-3 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 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TGQQNW**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2022

4997-3

Dale Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. Hebda:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 4997-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



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

January 14, 2025

NOTICE

TO: DALE HEBDA, 30661 444TH AVE, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4997-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4997-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4997-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 30, 2025

4997-3

Dale Hebda
30661 444th Ave
Mission Hill SD 57046

Dear Mr. Hebda:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4997-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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