

Permit Nos. 5590-3 (5590A-3)  
Minnesota Whetstone Basin - Water District

Contact Person & Address: Calvin Carlson, PO Box 110, Britton SD 57430

**Report Of Examination Of Works**

On, July 19, 2002, I made a thorough examination of the water use system constructed by Calvin Carlson of PO Box 110, Britton SD 57430 holder of Permit No. 5590-3, bearing the priority of November 12, 1991, authorizing the diversion of 3.85 cu. ft. per second of water from ground water (Middle James:Columbia) for irrigation purposes, in Marshall County.

The system is in the following condition good. The point of diversion is located Well: from the NE corner it is 978 feet south and 242 feet west of Section 1 T128N-R59W with a longitude of -97.854940 and a latitude of 45.932972. The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of that is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 1 T128N-R59W

SE 1/4 NE 1/4 = 3 Acres

SW 1/4 NE 1/4 = 5 Acres

NE 1/4 SW 1/4 = 5 Acres

SE 1/4 SW 1/4 = 5 Acres

NE 1/4 SE 1/4 = 33 Acres

NW 1/4 SE 1/4 = 40 Acres

SW 1/4 SE 1/4 = 35 Acres

SE 1/4 SE 1/4 = 32 Acres

Total Lands Irrigated = 158 Acres

comprising a total of 158 acres of land and the license should be issued for 2.0 cfs.

**Review of Permit Qualifications And Regulations:**

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

**Report On the Specifics of the System**

Diversions Point Information:

- |                                                  |                                     |
|--------------------------------------------------|-------------------------------------|
| 1) Well Drilling Firm: <u>M &amp; W Drilling</u> | 2) No. of Wells <u>1</u>            |
| 3) Depth(s) <u>65</u> feet                       | 4) Well log is available <u>yes</u> |

3) Depth(s) <sup>140</sup>~~65~~ feet

4) Well log is available yes

**Casing:**

1) Diameter 12 inches

2) Length <sup>120</sup>~~109~~ feet

3) Type Steel

**Screen:**

1) Type <sup>0.60 slot ss</sup> Manufactured St. Steel

2) Length 20 feet

3) Static water level 14.1 feet

~~Set~~ 120-140

**Pump\ Motor:**

1) Pump Make Submersible

2) Pump Model unknown

3) Capacity 900 GPM

4) Motor Make Diesel

5) Motor Model No. unknown

6) Horsepower rating 100 hp

**Distribution System:**

1) Type PVC 2) Size 10 inches 3) Length 3780 feet

**System Type:**

**Center pivot:**

1) Make Reinke

2) Overall length 1478 feet

3) Number of towers 8

4) End gun yes

5) High or low pressure High

6) Capacity 900 GPM

**Chemigation:**

1) Does chemigate no

**COMMENTS: Mr. Carlson may chemigate at a later depending on what he plants for a crop. Look at file documents to see how this permit has been changed.**

Stacy J. Johnson

Stacy J. Johnson

Natural Resources Project Engineer  
DENR, Water Rights Program

9-24-02

Date

**Licensing of Acreage Outside of Permitted Area**NAME: Calvin CarlsonADDRESS: PO Box 110, Britton SD 57430DATE: September 5, 2002COUNTY: MarshallTELEPHONE: (605) 448-5348**AUTHORITY**

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

**NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:**

The acreage developed for irrigation is 158 acres as compared to 270 acres authorized by the permit. Of the 158 developed acres 23 acres are outside of the area described on the permit.

**UNPERMITTED ACREAGE:**

- **Contiguous to Permitted Acreage**

Yes

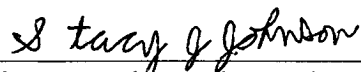
- **Owned by Same Property Owner**

Yes

- **Developed Prior to Expiration of Construction Period**

Yes**RECOMMENDED ACTION**

Based on the above criteria, it is recommended that the 23 acre area be included in the water license.



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

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer  
Water Rights Program

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

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NAME: Calvin CarlsonADDRESS: PO Box 110, Britton SD57430DATE: September 26, 2002 COUNTY: Marshall TELEPHONE: (605) 448-5348**AUTHORITY:**

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

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

Yes

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

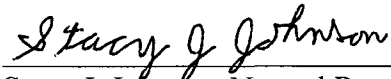
No

- **Review of Existing Diversions**

The public notice was advertised with having the well in the SE ¼ NE ¼ of Section 1 T128N-R59W.  
The well is actually located in the NE ¼ NE ¼ of Section 1 T128N-R59W.

**RECOMMENDED ACTION**

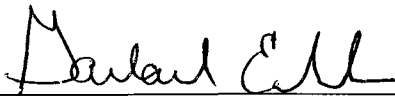
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



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

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

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



Garland Erbele, Chief Engineer  
Water Rights Program

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 10, 2002

RECEIVED OF Calvin Carlson, PO Box 110, Britton SD 57430

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 | 50    | 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. <u>5590-3</u>    |       |       |
| Fee for Filing Transfer Form _____                                                                             |       |       |
| Fee for _____                                                                                                  |       |       |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |       |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |       |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |       |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50.00 |

No. **000276**

By Darland Eide  
Chief Engineer *gm*

# NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5590-3



Date: 6/25/98

I/We request that Water Permit No. 5590-3

formerly owned by: Steve Kasowski

be transferred to: (name & address) Calvin Carlson P.O. Box 110  
Britton, SD 57430 Telephone No. 605-448-5348

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

270 acres - NE 1/4 Section 1, T128N, R59W and SE 1/4 Section 1, T128N, R59W

I/We understand that the validity of Water Right No. 5590-3 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.

STATE OF SOUTH DAKOTA )

County of Marshall )

I/We Calvin Carlson 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.

Calvin Carlson  
(Signed)

Subscribed and sworn to before me this 25<sup>th</sup> day of June, 19 98.

My Commission Expires: 1/03/03

David C. Wade  
(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.

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 415815

Pierre, \_\_\_\_\_ July 7, 19 98

RECEIVED OF Calvin Carlson, P.O. Box 110, Britton, SD 57430  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                         |       |      |
|-------------------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct<br>and to put water to beneficial use _____ |       |      |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future<br>Use _____                                  |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                  |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water<br>License No. _____                  |       |      |
| Fee for Filing Transfer Form <u>Water Permit No. 5590-3</u>                                                             | 2     | 50   |
| Fee for Filing Extension Request _____                                                                                  |       |      |
| Fee for _____                                                                                                           |       |      |
| _____                                                                                                                   |       |      |
| _____                                                                                                                   |       |      |
| (Any Other Work Provided by Law)                                                                                        | Total | 2 50 |

By \_\_\_\_\_  
Chief Engineer

John Hatch (G)



R59W

T128N

1

Well

From the NE corner it is 978 feet south and 242 feet west

#### Lands Irrigated

SE 1/4 NE 1/4 = 3 Acres  
 SW 1/4 NE 1/4 = 5 Acres  
 NE 1/4 SW 1/4 = 5 Acres  
 SE 1/4 SW 1/4 = 5 Acres  
 NE 1/4 SE 1/4 = 33 Acres  
 NW 1/4 SE 1/4 = 40 Acres  
 SW 1/4 SE 1/4 = 35 Acres  
 SE 1/4 SE 1/4 = 32 Acres  
 Total Irrigated Lands = 158 Acres

Stacy J. Johnson  
 Natural Resources Project Engineer  
 SD DENR Water Rights Program

*Stacy J. Johnson 9-5-09*

0.8

0

0.8

1.6 Miles



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

JUL 08 2005

Calvin Carlson  
PO Box 110  
Britton SD 57430

Dear Mr. Carlson:

Enclosed is reissued Water License No. 5590A-3. The original permit authorized irrigation of 270 acres located in the NE ¼ Section 6-T128N-R58W and the SE ¼ Section 1-T128N-R59W. Due to ownership changes, the water license is being divided to reflect separate ownership.

- No. 5590A-3 – Calvin Carlson, PO Box 110, Britton SD 57430 owns SE ¼ Section 1-T128N-R59W.
- No. 5590B-3 – Tigh Fliehs, 12247 406<sup>th</sup> Ave, Claremont SD 57432 owns NE ¼ Section 6-T128N-R58W. Issuance of No. 5590B-3 is being withheld until the Water Management Board determines if the permit is subject to cancellation due to non-construction.

Also, enclosed are the receipts for payment of the Notice of Transfer fee and license fee which were previously submitted.

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

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA**  
**WATER LICENSE NO. 5590A-3**  
**DIVISION OF NO. 5590-3 INTO 5590A-3 & 5590B-3**

(1) Steve Kasowski, Mapleton ND made Application No. 5590-3, September 6, 1991 for a water permit to divert 3.85 cubic feet of water per second from groundwater (one well), Marshall County, South Dakota for irrigation purposes. Permit No. 5590-3, with a priority date of November 12, 1991 was approved March 4, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 4, 1997 and for the application to beneficial use of water on or before March 4, 2001.

The original permit authorized irrigation of 270 acres located in the NE ¼ Section 6-T128N-R58W and the SE ¼ Section 1-T128N-R59W. Due to ownership changes, the water license is being divided to reflect separate ownership.

- No. 5590A-3 – Calvin Carlson, PO Box 110, Britton SD 57430 owns SE ¼ Section 1-T128N-R59W.
- No. 5590B-3 – Tigh Fliehs, 12247 406<sup>th</sup> Ave, Claremont SD 57432 owns NE ¼ Section 6-T128N-R58W. Issuance of No. 5590B-3 is being withheld until the Water Management Board determines if the permit is subject to cancellation due to non-construction.

An investigation conducted for licensing purposes found the diversion point and acreage developed for irrigation under Water Permit No. 5590A-3 were not in the locations authorized by the permit. Pursuant to SDCL 46-5-13.1 and 46-5-30.5, the Chief Engineer makes a finding that existing water rights will not be impaired and the overall project, as developed, is consistent with the original application.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5590A-3 is issued a license, bearing a priority date of November 12, 1991, to appropriate 2.0 cubic feet of water per second from groundwater (one well) to irrigate 158 acres.

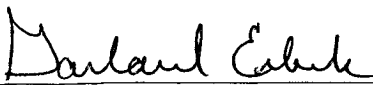
The diversion point is located: 978 feet south and 242 feet west of the northeast corner of Section 1-T128N-R59W (NE ¼ NE ¼)

The acres authorized for irrigation are as follows:

| Section 1-T128N-R59W |         |           |          |
|----------------------|---------|-----------|----------|
| SE ¼ NE ¼            | 3 acres | NE ¼ SE ¼ | 33 acres |
| SW ¼ NE ¼            | 5 acres | NW ¼ SE ¼ | 40 acres |
| NE ¼ SW ¼            | 5 acres | SW ¼ SE ¼ | 35 acres |
| SE ¼ SW ¼            | 5 acres | SE ¼ SE ¼ | 32 acres |
| Total 158 acres      |         |           |          |

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5590-3 including the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

  
Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

JUL 08 2005  
date





5590A-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: CALVIN CARLSON, PO BOX 110, BRITTON, SD 57430 0110

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5590A-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5590A-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5590A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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

**McMath, Genny**

---

**From:** Duvall, Ron  
**Sent:** Friday, January 27, 2006 3:01 PM  
**To:** McMath, Genny  
**Subject:** Another questionnaire

Calvin Carlson called concerning 5590A-3. The property has been sold to Mark Zastrow, Los Angeles CA as of last winter. Mr. Carlson says a portion of the pivot is surrounded by water and the system was not used last summer. He did not have an address for Mr. Zastrow. I told him we (that means you) could probably get an address from the assessor's office and we would mail Mr. Z a transfer of ownership.

Ron



April 18, 2006

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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**RECEIVED**

**APR 20 2006**

**WATER RIGHTS  
PROGRAM**

5590A-3

Marshall County Director of Equalization  
911 Vander Horck  
Britton SD 57430

Dear Sir:

I am contacting you in regard to ownership of land described in Water Right No. 5590A-3, listed in the name of Calvin Carlson. Mr. Carlson notified us that he sold the land last winter.

Enclosed is a copy of the map with the legal descriptions covered under the water right. We need to contact the new owner about the water right. If you would, make any ownership and address notations on the enclosed map and return it to us as soon as possible.

Thank you in advance for your help.

Sincerely,

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

enclosures

DAYTON TOWNSHIP 38454

| NAME / ADDRESS       | LEGAL DESCRIPTION           | CLASS                       | ASSESSOR<br>VALUE | EQUALIZED<br>VALUE | LOCAL<br>BOARD | COUNTY<br>BOARD | STATE<br>BOARD | AG<br>EXEMPT | ACRES/<br>UNITS |
|----------------------|-----------------------------|-----------------------------|-------------------|--------------------|----------------|-----------------|----------------|--------------|-----------------|
| PARCEL:38.59.01.1000 | DISTRICT:38454 SCHOOL: 45-4 |                             |                   |                    |                |                 |                |              |                 |
| ZASTROW,MARK & JULIE | DEED 1 128 59               | NA-Z                        | 175,104           |                    |                |                 |                |              | 141.67          |
|                      | NE1/4                       | TOTAL                       | 175,104           |                    |                |                 |                |              |                 |
| 1216 ELM AVE         |                             |                             |                   |                    |                |                 |                |              |                 |
| GLENDAL CA           |                             |                             |                   |                    |                |                 |                |              |                 |
| 91201                |                             |                             |                   |                    |                |                 |                |              |                 |
|                      |                             | TWP-128 RNG-59 SEC-1 QTR-NE |                   |                    |                |                 |                |              |                 |
| PARCEL:38.59.01.2000 | DISTRICT:38454 SCHOOL: 45-4 |                             |                   |                    |                |                 |                |              |                 |
| ZASTROW,MARK & JULIE | DEED 1 128 59               | NA-Z                        | 182,400           |                    |                |                 |                |              | 146.51          |
|                      | NW1/4                       | TOTAL                       | 182,400           |                    |                |                 |                |              |                 |
| 1216 ELM AVE         |                             |                             |                   |                    |                |                 |                |              |                 |
| GLENDAL CA           |                             |                             |                   |                    |                |                 |                |              |                 |
| 91201                |                             |                             |                   |                    |                |                 |                |              |                 |
|                      |                             | TWP-128 RNG-59 SEC-1 QTR-NW |                   |                    |                |                 |                |              |                 |
| PARCEL:38.59.01.3000 | DISTRICT:38454 SCHOOL: 45-4 |                             |                   |                    |                |                 |                |              |                 |
| ZASTROW,MARK & JULIE | DEED 1 128 59               | NA-Z                        | 167,808           |                    |                |                 |                |              | 160.00          |
|                      | SW1/4                       | TOTAL                       | 167,808           |                    |                |                 |                |              |                 |
| 1216 ELM AVE         |                             |                             |                   |                    |                |                 |                |              |                 |
| GLENDAL CA           |                             |                             |                   |                    |                |                 |                |              |                 |
| 91201                |                             |                             |                   |                    |                |                 |                |              |                 |
|                      |                             | TWP-128 RNG-59 SEC-1 QTR-SW |                   |                    |                |                 |                |              |                 |
| PARCEL:38.59.01.4000 | DISTRICT:38454 SCHOOL: 45-4 |                             |                   |                    |                |                 |                |              |                 |
| ZASTROW,MARK & JULIE | DEED 1 128 59               | NA-Z                        | 204,288           |                    |                |                 |                |              | 160.00          |
|                      | SE1/4                       | TOTAL                       | 204,288           |                    |                |                 |                |              |                 |
| 1216 ELM AVE         |                             |                             |                   |                    |                |                 |                |              |                 |
| GLENDAL CA           |                             |                             |                   |                    |                |                 |                |              |                 |
| 91201                |                             |                             |                   |                    |                |                 |                |              |                 |
|                      |                             | TWP-128 RNG-59 SEC-1 QTR-SE |                   |                    |                |                 |                |              |                 |
|                      | DISTRICT TOTAL              |                             | 729,600           |                    | 729,600        |                 | 729,600        |              |                 |
|                      |                             |                             |                   | 729,600            |                | 729,600         |                |              |                 |
|                      | GRAND TOTALS                |                             | 729,600           |                    | 729,600        |                 | 729,600        |              |                 |
|                      |                             |                             |                   | 729,600            |                | 729,600         |                |              |                 |



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 24, 2006

5590A-3

Mark & Julie Zastrow  
1216 Elm Ave  
Glendale CA 91201

Dear Mr. & Mrs. Zastrow:

I am contacting you in regard to ownership of land described in Water Right No. 5590A-3 (copy enclosed). Calvin Carlson notified our program that he had sold the land last winter. I obtained your names and address from the Marshall County Director of Equalization.

If you intend to maintain the water right and irrigate the land, the water right should be transferred to your names. 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 wish to maintain the water right, please let me know. Thank you in advance for your assistance.

Sincerely,

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

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

No. 5590A-3

Date: \_\_\_\_\_

I/We request that Water Right No. 5590A-3

formerly owned by: Calvin Carlson

be transferred to: (name & address) Mark & Julie Zastrow

1216 Elm Ave

Glendale, CA 91201 Telephone No. (818) 253-5666

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

158 acres - S 1/2 NE 1/4, E 1/2 SW 1/4, SE 1/4 Section 1, T128N, R59W

I/We understand that the validity of Water Right No. 5590A-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

Julie Zastrow

[Signature]

(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.

RECEIVED

MAY - 2 2006

WATER RIGHTS  
PROGRAM

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date MAY 2, , 20 06

RECEIVED OF Mark & Julie Zastrow, 1216 Elm Ave, Glendale CA 91201

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

|                                                                                                        |                                     |      |    |
|--------------------------------------------------------------------------------------------------------|-------------------------------------|------|----|
| Fee for Application for Permit No. _____<br>and to put water to beneficial use _____                   | to Appropriate Water, to construct  | 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<br>Water License No. _____ |                                     |      |    |
| Fee for Filing Transfer Form _____                                                                     | 5590A-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.

02422

By

Darland Ebel

Chief Engineer

*gm*



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

May 3, 2006

5590A-3

Mark & Julie Zastrow  
1216 Elm Ave  
Glendale CA 91201

Dear Mr. & Mrs. Zastrow:

Thank you for following up on the ownership change for Water Right No. 5590A-3. The transfer has been completed. The water right formerly listed in the name of Calvin Carlson is now listed in your names.

Each year in October, we mail out the annual irrigation questionnaire. Enclosed is a sample copy for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season. If you will have a tenant on the property that you would like us to send this information to him, please let me know.

An additional item I wanted to make you aware of is that in order to maintain water rights, they need to be used. I am including excerpts of our water laws and Water Management Board rules dealing with this issue.

Also enclosed is your Receipt No. 02423 in the amount of \$2.50. 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](mailto:genny.mcmath@state.sd.us)

enclosures



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 22, 2010

NOTICE

TO: MARK & JULIE ZASTROW, 1216 ELM AVE, GLENDALE, CA 91201

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5590A-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 5590A-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 10, 2010** 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) 5590A-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 5, 2010**, 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 or email at [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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

[Track & Confirm](#)[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 2303 2160 0000 0802 9631

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 12:23 PM on January 25, 2010 in GLENDALE, CA 91201. The item was signed for by M ZASTROW.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Detailed Results:

- Delivered, January 25, 2010, 12:23 pm, GLENDALE, CA 91201
- Arrival at Post Office, January 25, 2010, 8:51 am, GLENDALE, CA 91201
- Processed through Sort Facility, January 24, 2010, 1:48 am, SANTA CLARITA, CA 91383
- Processed through Sort Facility, January 23, 2010, 1:37 am, SIOUX FALLS, SD 57104

### Notification Options

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No FEAR Act EEO Data

FOIA

13448 Employees  
18,000,000 Mailpieces100,000,000 Letters  
100,000,000 Packages

mailing.

MARK & JULIE ZASTROW  
1216 ELM AVE  
GLENDALE CA 91201

Waiver of Signature ☐ YES ☐ NO

Postmark  
Here

**POSTAL CUSTOMER:**  
Keep this receipt. For Inquiries:  
Access internet web site at  
[www.usps.com](http://www.usps.com)  
or call 1-800-222-1811

☐ Priority Mail™ Service  
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SIGNATURE CONFIRMATION NUMBER:  
2303 2160 0000 0802 9631



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 8, 2010

5590A-3

Mark & Julie Zastrow  
1216 Elm Ave  
Glendale CA 91201

Dear Mr. & Mrs. Zastrow:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 5590A-3.

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

If you have any questions, please contact me.

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT  
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[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 20, 2010

5590A-3

Mark & Julie Zastrow  
180 Fern Dr  
Pasadena CA 91105-1214

Dear Mr. & Mrs. Zastrow:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 1216 Elm Ave, Glendale CA. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



5590A-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](http://www.state.sd.us/denr)

January 24, 2012

NOTICE

TO: MARK & JULIE ZASTROW, 180 FERN DR, PASADENA, CA 91105 1214

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) 5590A-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) 5590A-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) 5590A-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](mailto: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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[www.denr.sd.gov](http://www.denr.sd.gov)

February 16, 2012

5590A-3

Mark & Julie Zastrow  
180 Fern Dr  
Pasadena CA 91105 1214

Dear Mr. & Mrs. Zastrow:

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. 5590A-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,

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

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



3590A-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 25, 2019

NOTICE

TO: MARK & JULIE ZASTROW, 180 FERN DR, PASADENA, CA 91105 1214

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) 5590A-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) 5590A-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) 5590A-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](mailto: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.

5590A-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

January 29, 2019

5590A-3

Mark & Julie Zastrow  
180 Fern Dr  
Pasadena CA 91105-1214

Dear Mr. & Mrs. Zastrow:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 5590A-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DENR**  
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 22, 2021

**NOTICE**

TO: MARK & JULIE ZASTROW, 180 FERN DR, PASADENA, CA 91105 1214

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5590A-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 5590A-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 3, 2021 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) 5590A-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 3, 2021** 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](mailto: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: SAUFGS**

**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.



**DENR**  
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

February 1, 2021

5590A-3

Mark & Julie Zastrow  
180 Fern Dr  
Pasadena CA 91105-1214

Dear Mr. & Mrs. Zastrow:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 5590A-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 20, 2023

### NOTICE

TO: MARK & JULIE ZASTROW, 180 FERN DR, PASADENA, CA 91105 1214

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5590A-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5590A-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5590A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto: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: SKMSKR**

**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  
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PIERRE SD 57501-3182  
danr.sd.gov

January 30, 2023

5590A-3

Mark & Julie Zastrow  
180 Fern Dr  
Pasadena CA 91105-1214

Dear Mr. & Mrs. Zastrow:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 5590A-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 20, 2026

**NOTICE**

TO: MARK & JULIE ZASTROW, 180 FERN DR, PASADENA, CA 91105 1214

FROM: Ron Duvall, Engineer III  
for Adam Mathiowetz, PE, Acting Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5590A-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 5590A-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 4, 2026 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) 5590A-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, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LPTGXB**

**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 23, 2026

5590A-3

Mark & Julie Zastrow  
180 Fern Dr  
Pasadena, CA 91105

Dear Mark & Julie,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst  
Water Rights Program  
605 773-8204  
[Shannon.konst@state.sd.us](mailto:Shannon.konst@state.sd.us)