

Considered: _____

WATER PERMIT NO. 5664-3

Phone: 796-4292

Name of Applicant: Pat Mentele

Post Office Address: PO Box 41, Woonsocket SD 57385

Amount of Water Claimed: no add'l (1.2 cfs) Total Acres: 60 add'l

Source of Water Supply: dugouts

Water to be used for: irrigation County: Sanborn

About 4 miles NE of Woonsocket

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 4-9-92 Fee: \$150 Remarks Additional

acreage and dugout - see WP No. 5298-3

Corrected Application Received 4-21-92 Period of Annual Use April 1 - October 31

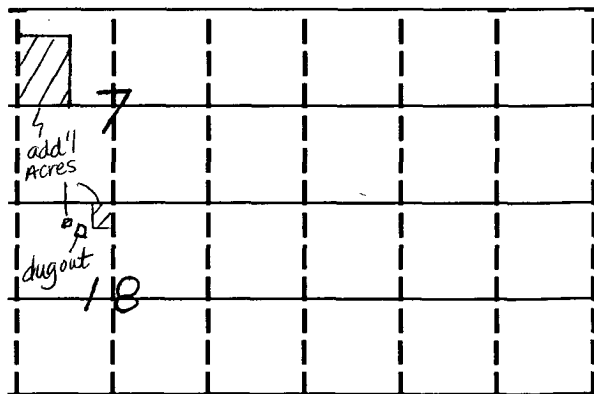
WATER QUALITY APPROVAL RECEIVED 5-6-92 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NE 1/4 NW 1/4 Sec 18-T107N-R61W

Land to be Irrigated: NE 1/4 NW 1/4 Sec 18,

W 1/2 NW 1/4 Sec 7; all in T107N-R61W



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS _____

Type of Map: aerial PREPARED BY: Gordon Ferguson, ASCS Reviewed and the Number

Assigned on 5-13-92 By Karen Schlaak

(See instructions)

No. 51664-3 Hydrologic Unit 10160006
Basin James River
Newspaper Woonsocket News, Box 218



Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- ☐ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
☒ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant PAT mentele Phone No. 796-4292

Post Office Address P.O. Box 41 State S.Dak 57305
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) NO add'l Total acres irrigated 60 acres add'l

3. Source of Water supply Surface water (dugouts)

4. Location of point of diversion #1 WWSW, #2 400ft E of center of SW 1/4, #3 SW 1/4 SW 1/4, all in Section 7, T107N, R61W, #4 NE 1/4 Section 18, T107N, R61W County SANBORN

5. Counties where water will be used SANBORN

6. Annual period during which water is to be used April - October 31

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.
<u>NE 1/4 Section 18</u>	<u>4</u>
<u>SW 1/4 NW 1/4 Section 7</u>	<u>56</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: (Specify) A

9. Crops to be Irrigated: melons

10. Give a description of proposed project. (Attach sheet if more space is needed)
Dugouts #1, 2 AND 3 are currently authorized by Water Permit
NO 5298-3 to irrigate 85 Acres

This Application proposes to add 60 additional acres. And one
a additional dugout (#4) to be used in a melon buss:ness. NO
Additional diversion rate is requested as melons are raised on a
rotation basis

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils
information and any other technical information.

STATE OF SOUTH DAKOTA)
County of SANBORN)^{ss}

I, PAT Mentele, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed PAT Mentele

Subscribed and sworn to before me this 7 day of April 19 92

Darsh H. Ferguson
Notary Public

Commission expires June 25, 1993

**SOUTH DAKOTA
WATER PERMIT No. 5664-3 FOR IRRIGATION**

Date of first receipt of application April 9, 1992.

Date Soil/Water Compatibility Permit received May 4, 1992.

Date of return to applicant for corrections, amendments or changes April 10, 1992.

Date of receipt of corrected application April 21, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5664-3 to Pat Mentele, PO Box 41, Woonsocket SD 57385 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5664-3 is to irrigate 60 additional acres and for an additional dugout. Water Permit No. 5298-3 appropriates 1.2 cubic feet of water per second (cfs) from three dugouts located in the NW 1/4 SW 1/4, near the center of the SW 1/4 and the SW 1/4 SW 1/4 to irrigate 85 acres located in the SW 1/4; all in Section 7-T107N-R61W. This permit authorizes irrigation of 60 additional acres located in the NE 1/4 NW 1/4 Section 18 and the W 1/2 NW 1/4 Section 7; all in T107N-R61W. The location of the additional dugout is the NE 1/4 NW 1/4 Section 18-T107N-R61W. Water Permit No. 5298-3 and this permit, combined, may not exceed 1.0 cfs for each 70 acres irrigated.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is April 9, 1992.
4. The date of approval of Permit No. 5664-3 is July 8, 1992.
5. One-fifth of the construction is to be completed on or before January 8, 1995.
6. All construction is to be completed on or before July 8, 1997.
7. Water is to be put to beneficial use on or before July 8, 2001.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: 

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

NOV 20 1992

date



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

Date _____

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Pat Mentele Po Box 41
(name) (address)
Woonsocket SD 57385-0041 796-4292
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5664-3.

Water Permit No. 5664-3 states that the diversion system is to be constructed by July 8, 1997, and that the water is put to beneficial use by July 8, 2001.
(date) (date)

The diversion system was completed on April 1992.
(date)

Applying the water to beneficial use was completed on Ready to use in 1993. Season.
(date)

You may schedule an inspection so that the Water License may be issued.

Pat Mentele
(signature)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

2. Dugout Information Estimates *Proposed for dugout #4*

- a) Surface Dimensions *16 by 40 bottom* Depth *12 ft*
- b) Depth to water (ground surface to water level) *12 ft* *~ 1.3 AF Storage*
4 to 1 ends 2 to 1 side slope

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

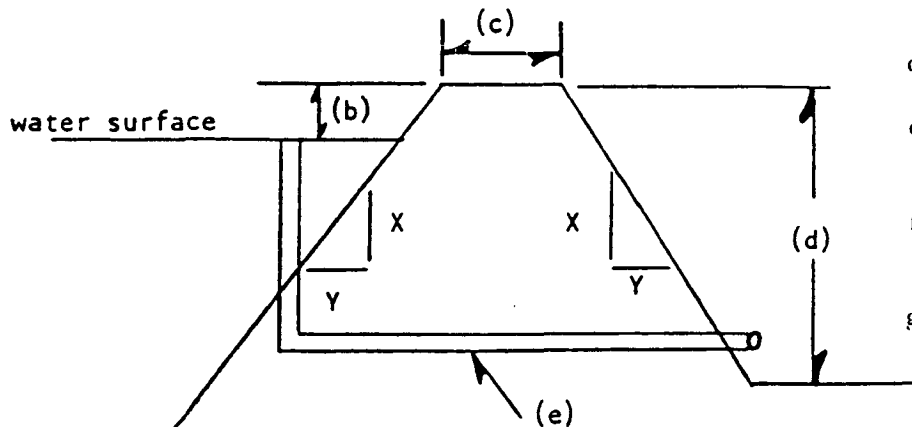
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Pat Mentel
 Signature of Applicant



SANBORN COUNTY ASCS OFFICE
POB 248
Woonsocket, SD 57385
Barb Ferguson ASCS.

NOT TO SCALE





SANBORN COUNTY ASCS OFFICE

PGB 248

Woonsocket, SD 57385

Baron Hergum ASCS

NOT TO SCALE

SOIL/WATER COMPATIBILITY PERMIT

Office Use Only

Division of Conservation

4703

WR#

OWNER NAME: MENTELE, PATOWNERS ADDRESS: PO BOX 41WOONSOCKET, SD 57385-0041COUNTY LAND LOCATED IN: SANBORN PHONE: 796-4292

(DUBOUTS)

LEGAL DESCRIPTION:

☐ Well☒ Surface1. LOCATION #1 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7-T107N-R61W; #2 400' E of Center of SW $\frac{1}{4}$ 7-T107N-R61WDepth #3 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7-T107N-R61W; #4 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18-T107N-R61W

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18-T107N-R61W	4		
W $\frac{1}{2}$ NW $\frac{1}{4}$ 7-T107N-R61W	56		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) XXX3. CROPS TO BE IRRIGATED: MELONS

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-00427. ADJUSTED (SAR): 1.175. SALINITY (EC X 10⁶): 12008. PERCENT SODIUM 8.686. SODIUM (SAR): 0.47

Requirements:

An intensive water management program will be necessary to prevent the water table from becoming perched. Should the water table become perched, a form of artificial drainage may be necessary; i.e., tile drainage.

Please be advised, before undertaking any drainage project, contact your local SCS and ASCS offices.

Director, Division of Conservation

XXX APPROVED

DISAPPROVED

WAIVER

XXX REQUIREMENTS

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

APRIL 09, 1992

Date

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413171

Pierre, April 9, 19 92

RECEIVED OF Lynell Mentale, PO Box 41, Woonsocket, SD 57385

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

Fee for Application for Permit No. <u>5644-3</u> 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	150 00

By

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 10, 1992

Pat Mentele
PO Box 41
Woonsocket SD 57385

Dear Mr. Mentele:

We received your water permit application on April 9, 1992. Enclosed are the two aerial photos submitted with your application. On the maps, please outline the additional lands to be irrigated and indicate the location of the fourth dugout.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 16, 1992

Pat Mentele
PO Box 41
Woonsocket SD 57385

Dear Mr. Mentele:

We received the two aerial photos that outline the additional lands to be irrigated and indicate the location of the fourth dugout. The location of the dugout as described on the application is the NW 1/4 NW 1/4 Section 18-T107N-R61W. The location as indicated on the map is the NE 1/4 NW 1/4 Section 18-T107N-R61W. Also, the application states that the lands to be irrigated in Section 7-T107N-R61W are located in the N 1/2 NW 1/4. The location as indicated on the map is the W 1/2 NW 1/4 Section 7-T107N-R61W. Which locations are correct?

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Pat Mentele

ADDRESS: _____ COUNTY: Sanborn

DATE: 4/21/92 TELEPHONE: 796-4292

RE: _____

COMMENTS:

Mr. Mentele stopped in the office to discuss his pending application. He stated that dugout No. 4 is located is located in the NE1/4 NW1/4 Section 18, T107N, R61W and that the 56 acre parcel of land is located in the W1/2 NW1/4 Section 7, T107N, R61W.

I told him I would send the application over to the Dept. of Agriculture for a SW Permit immediately.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eve Thompson

REPORT ON WATER PERMIT APPLICATION NO. 5664-3
PAT MENTELE
MAY 21, 1992

Application No. 5664-3, Pat Mentele, proposes to irrigate 60 additional acres and construct an additional dugout in connection with Water Permit No. 5298-3. Water Permit No. 5298-3 appropriates 1.2 cubic feet of water per second (cfs) from three dugouts located in the NW 1/4 SW 1/4, the center of the SW 1/4 and the SW 1/4 SW 1/4 to irrigate 85 acres; all in Section 7-T107N-R61W. This application is to irrigate 60 additional acres located in the NE 1/4 NW 1/4 Section 18 and the W 1/2 NW 1/4 Section 7; all in T107N-R61W. The location of the additional dugout is in the NE 1/4 NW 1/4 Section 18-T107N-R61W. The project is located in Sanborn County. The additional dugout has approximately 1.3 acre-feet of storage capacity. Water Permit No. 5298-3 and this application, combined, may not exceed one cfs for each 70 acres irrigated. This application, if approved does not authorize any increase in the diversion rate.

Water Source

A combination of surface runoff and a very shallow Pleistocene aquifer (not named) will supply the dugout with water. The sand and gravel aquifer lies at the surface in the Woonsocket area (Steece, 1967). Observation well SA-57B (Water Rights Division, 1992) is located about 1.5 miles to the northeast of the proposed dugout location. Water level records for observation well SA-57B reflect fairly constant readings with some yearly fluctuations.

Review of Existing Water Rights

There are no water right/permits near the proposed dugout that would be affected by this application.

Conclusions

1. Water is available from both surface runoff and the shallow Pleistocene aquifer.
2. There will be no interference with existing water right/permits.
3. Observation well records reflect fairly constant readings with yearly fluctuations dependent upon precipitation amounts.

4. Approval of this Permit is subject to the Irrigation Water Use Questionnaire being submitted each year.

Norma C. Job

NORMA C. JOB
Natural Resources Engineer II

Approved by:

Delvin D. Brosz

DELVIN D. BROSZ, PE
Natural Resources Engineer IV

References

Steece, F.V., 1967, Glacial Drift Aquifers in Sanborn County, South Dakota, DWNR, SDGS, Vermillion, SD, 57069.

Wendte, James L., 1989, Report on Application No. 5298-3, SD DENR, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

Water Rights Division, 1992, Observation Well File SA-57B, SD DENR, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5664-3, Pat Mentele

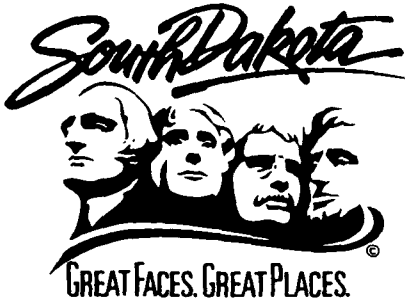
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5664-3, Pat Mentele, PO Box 41, Woonsocket, SD 57385.

The Chief Engineer is recommending APPROVAL of Application No. 5664-3 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) it is in the public interest with the following qualification:

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

See report on application for additional information.


for JOHN HATCH, Chief Engineer
June 3, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 4, 1992

Pat Mentele
PO Box 41
Woonsocket, SD 57385

Dear Mr. Mentele:

Water Permit Application No. 5664-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Woonsocket News printed at Woonsocket, SD (Ph # 796-4221). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

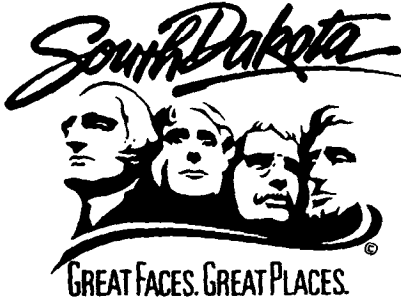
Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 4, 1992

Woonsocket News
Box 218
Woonsocket, SD 57385

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5664-3 to be published twice. Please publish the first notice on June 11, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Pat Mentele, PO Box 41, Woonsocket, SD 57385 (Ph # 796-4292).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____ TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____
We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name Newspaper

Instruction to Newspaper - Publish first Notice on June 11, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5664-3 to Appropriate Water
and to Amend Water Permit No. 5298-3

Notice is given that Pat Mentele, PO Box 41, Woonsocket, SD 57385 has filed an application for a water permit to irrigate 60 additional acres and for an additional dugout. Water Permit No. 5298-3 appropriates 1.2 cubic feet of water per second (cfs) from three dugouts located in the NW 1/4 SW 1/4, the center of the SW 1/4 and the SW 1/4 SW 1/4 to irrigate 85 acres; all in Section 7-T107N-R61W. This application is to irrigate 60 additional acres located in the NE 1/4 NW 1/4 Section 18 and the W 1/2 NW 1/4 Section 7; all in T107N-R61W. The location of the additional dugout is the NE 1/4 NW 1/4 Section 18-T107N-R61W. Water Permit No. 5298-3 and this application, combined, may not exceed 1.0 cfs for each 70 acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5664-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 29, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5664-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 8, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 8, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 8, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 29, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

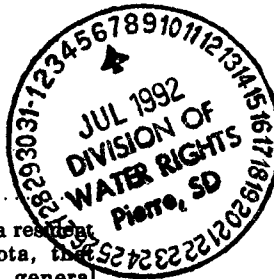
This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF SANBORN

Gerald W. Klaus



being the first duly sworn, disposes and says: That he is a resident of the County of Sanborn and State of South Dakota, that The Woonsocket News is a weekly newspaper of general circulation, printed and published in the City of Woonsocket, in said County and State by:

Gerald W. Klaus

and is now and has been such a newspaper continuously, during all the times hereinafter mentioned; that the affiant is and was during all the times hereinafter mentioned the printer and publisher of said newspaper in charge of the advertising department thereof; and has personal knowledge of all the facts stated in this affidavit, and that the notice and advertisement headed

*Notice Of Hearing On
Application No. 5664-3 To Appropriate
Water and to Amend Water
Permit No. 5298-3*

a printed copy of which is hereunto attached and made a part thereof, was printed and published in the said newspaper once

a week for 2 consecutive issues.

That the first publication of said notice in said newspaper was on Thursday, the June A. D., 1992 and that the succeeding publication was severally—

on Thursday, the <u>18</u> day of <u>June</u>	A. D. 19 <u>92</u>
on Thursday, the day of	A. D. 19
on Thursday, the day of	A. D. 19
on Thursday, the day of	A. D. 19
on Thursday, the day of	A. D. 19
on Thursday, the day of	A. D. 19
on Thursday, the day of	A. D. 19
on Thursday, the day of	A. D. 19

that the fees charged for printing and publication of said notice and advertisement in said newspaper as aforesaid were 66 Dollars and 73 Cents, and that said fees for the printing and publishing of said notice and advertisement, have been fully paid; that the full amount of the fee charged for the publishing of said attached and annexed notice and advertisement insures to the benefit of the publishers of the said newspaper that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person, whomsoever. That the said newspaper is a legal newspaper as provided in Section 65.0508, South Dakota Code, as amended.

Gerald W. Klaus

Subscribed and sworn to before me this 2 day of July, 1992

NOTICE OF HEARING on
Application No. 5664-3 to
Appropriate Water and
to Amend Water
Permit No. 5298-3

Notice is given that Pat Mentale, PO Box 41, Woonsocket, SD 57385 has filed an application for a water permit to irrigate 60 additional acres and for an additional dugout. Water permit No. 5298-3 appropriates 1.2 cubic feet of water per second (cfs) from three dugouts located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, the center of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to irrigate 85 acres; all in Section 7-T107N-R61W. This application is to irrigate 60 additional acres located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18 and the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 7; all in T107N-R61W. The location of the additional dugout is the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18-T107N-R61W. Water Permit No. 5298-3 and this application, combined, may not exceed 1.0 cfs for each 70 acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5664-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application

Gloria K. Klaus
Notary Public, Sanborn County, South Dakota
MY COMMISSION EXPIRES
FEBRUARY 4, 1999

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The

applicant must also file a petition opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605) 773-3352" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 29, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5664-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 8, 1992 at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 8, 1992 hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 8, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 29, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. W38-21



NOV 20 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Pat Mentele
PO Box 41
Woonsocket, SD 57385

Dear Mr. Mentele:

Enclosed is Water Permit No. 5664-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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.

REPORT ON INSPECTION OF PERMIT NO. 5298-3 and 5664-3

DATE OF INSPECTION: 7-24-96

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT: Pat Mentele, P.O. Box 41, Woonsocket, SD 57385

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: same

DIVERSION POINT LEGAL LOCATION:

Pump site #1: 500' south and 930' east of the W¹/₄ corner Section 7 in the NW¹/₄ SW¹/₄ Section 7;

pump site #2: 1320' north and 1585' east of the SW corner Section 7 in the SE¹/₄ SW¹/₄ Section 7;

pump site #3: 1050' north and 1105' east of the SW corner Section 7 in the SW¹/₄ SW¹/₄ Section 7;

pump site #4: 330' south and 1585' east of the SW Section 7 in the NE¹/₄ NW¹/₄ Section 18.

Pump: Use same pump and motor at all four pump sites.

- 1) Make Berkeley
- 2) Model B320
- 3) Size #
- 4) Capacity 500 GPM

Motor:

- 1) Make Ford Industrial Propane
- 2) Model No. 172-C1D B8RD6006-G
- 3) Horsepower rating # hp

DISTRIBUTION LINES OR CANALS:

- 1) Type aluminum
- 2) Size 4 inches
- 3) Length 4000 feet

SYSTEM TYPE:

Towline:

- 1) Make #
- 2) Overall length 4000 feet
- 3) Diameter 4 inches
- 4) Sprinkler spacing 30 feet
- 5) Capacity 500 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

DUGOUT INFORMATION: dugout #1 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7

- 1) Height to crest 6 feet
- 2) Dimensions 112 x 60 feet
- 3) Approximate storage 0.93 ac-ft

DUGOUT INFORMATION: dugout #2 in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 7

- 1) Height to crest 12 feet
- 2) Dimensions 96 x 56 feet
- 3) Approximate storage 1.48 ac-ft

DUGOUT INFORMATION: dugout #3 in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 7

- 1) Height to crest 12 feet
- 2) Dimensions 60 x 45 feet
- 3) Approximate storage 0.74 ac-ft

DUGOUT INFORMATION: dugout #4 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18

- 1) Height to crest 12 feet
- 2) Dimensions 136 x 64 feet
- 3) Approximate storage 1.3 ac-ft

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

NOT TO SCALE

107-61



Permit No. 5298-3 and 5664-3

James 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, 7-24-96 made a thorough examination of the water use system constructed by Pat Mentele of P.O. Box 41, Woonsocket SD 57385 holder of Permit Nos. 5298-3 and 5664-3, bearing the priority of March 10, 1989 and April 9, 1992 authorizing the diversion of 1.2 on 5298-3 and no additional on 5664-3 cu. ft. per second of the waters of four dugouts for irrigation purposes, in Sanborn County.

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

A. Works used to divert the water:

Four dugouts with capacities of 0.74, 0.93, 1.3, and 1.48 acre-feet. A portable pump and motor, Berkeley pump model no. B320M, 500 gpm capacity and a Ford Industrial Propane motor model no. 172-C1D B8RD6006-G.

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

700' of rubber hose.

C. Works used to apply water to beneficial use:

4000 foot towable system, four inch aluminum pipe with 30 foot sprinkler spacing, 500 gpm capacity.

The system is in the following condition good. The points of diversion are located pump site #1: 500' south and 930' east of the W $\frac{1}{4}$ corner in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7; pump site #2: 1320' north and 1585' east of the SW corner in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7; pump site #3: 1050' north and 1105' east of the SW corner in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7; pump site #4: 330' south and 1585' east of the NW corner in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18; all in T107N-R61W.

The works are capable of diverting and conveying to the place of use 1.11 cu. ft. per second and 0.74, 0.93, 1.3, and 1.48 acre feet-of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 7, T107N, R61W:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 36 acres	
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 13 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 22 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 28 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 24 acres

Section 18, T107N, R61W:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres

comprising a total of 145 acres of land and the license should be issued for 1.11 cfs and/or 4.45 total acre-feet of storage.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Lynn Beck
Lynn Beck

9-10-96

Date

Natural Resources Engineer
DENR, Water Rights Program

Licensing of Acreage Outside of Permitted Area

NAME: Pat Mentele

ADDRESS: P.O. Box 41, Woonsocket, SD 57385

DATE: 9-16-96 **COUNTY:** Sanborn **TELEPHONE:** (605) 796-4292

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 **145** acres as compared to **145** acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

• **Contiguous to Permitted Acreage**

4 acres located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7, T107N, R61W under Permit No. 5664-3.
2 acres located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T107N, R61W under Permit No. 5298-3.

• **Owned by Same Property Owner**

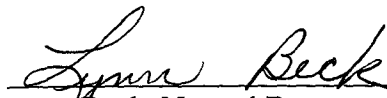
yes

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

yes

RECOMMENDED ACTION

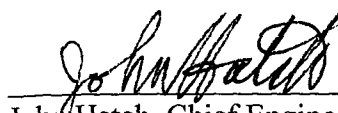
Based on the above criteria, it is recommended that the **8** acre area be included in the water license.



Lynn Beck, Natural Resources 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.



John Hatch, Chief Engineer
Water Rights Program 11-4-96

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5664-3

(1) Pat Mentele, PO Box 41, Woonsocket SD 57385 made Application No. 5664-3, April 9, 1992 for a water permit to add acreage and a diversion point (dugout) to the system authorized under Water Permit No. 5298-3. The entire system is located in Sanborn County, South Dakota and used for irrigation purposes. Permit No. 5664-3, with a priority date of April 9, 1992 was approved July 8, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 8, 1997 and for the application to beneficial use of said water on or before July 8, 2001.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on December 4, 1992. The *Notice* stated the diversion system was completed on April, 1992 and the water placed to beneficial use during the 1993 irrigation season.

An investigation conducted for licensing purposes found acreage developed for irrigation outside of the area described on the permit. Pursuant to SDCL 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.

Water Permit No. 5298-3 authorizes irrigation of 85 acres in the SW 1/4 Section 7 and retains a priority date of March 10, 1989. The remaining acreage retains a priority date of April 9, 1992 established by No. 5664-3. The applicable portions of Water Permit No. 5298-3 have been incorporated into this Water License No. 5664-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet of water per second and to store at total of 4.45 acre-feet of water for beneficial use. The location of the diversion points are:

dugout #1 - 500 feet south and 930 feet east of the W 1/4 corner Section 7 (NW 1/4 SW 1/4);

dugout #2 - 1,320 feet north and 1,585 feet east of the SW corner Section 7 (SE 1/4 SW 1/4);

dugout #3 - 1,050 feet north and 1,105 feet east of the SW corner Section 7 (SW 1/4 SW 1/4);

dugout #4 - 330 feet south and 1,585 feet east of the NW corner Section 18 (NE 1/4 NW 1/4); all in T107N-R61W.

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

Section 7-T107N-R61W	NE 1/4 NW 1/4	4 acres	NE 1/4 SW 1/4	13 acres
	NW 1/4 NW 1/4	15 acres	NW 1/4 SW 1/4	22 acres
	SW 1/4 NW 1/4	36 acres	SW 1/4 SW 1/4	28 acres
			SE 1/4 SW 1/4	24 acres
Section 18-T107N-R61W				
	NE 1/4 NW 1/4	3 acres		
Total				145 acres

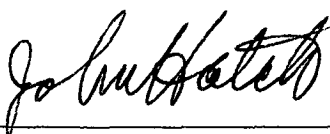
(continued)

Water License No. 5664-3

Pat Mentele

Page 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Pat Mentele, PO Box 41, Woonsocket SD 57385 the holder and/or owner of Incorporated Water Permit No. 5664-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second and to store 4.45 acre-feet of groundwater (four dugouts) with a priority date of March 10, 1989 (85 acres) and April 9, 1992 (60 acres) 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 Incorporated Water Permit No. 5664-3 and subject to South Dakota State Law.



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

DEC 26 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 5, 1996

Permit No. 5664-3

Pat Mentele
P.O. Box 41
Woonsocket, SD 57385

Dear Mr. Mentele:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 5298-3 and 5664-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 5298-3 will be incorporated into 5664-3.

Statutes require that we charge a \$50.00 fee for the investigation 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

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

Sincerely,

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.

RECEIPT

415200

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 10, 1996

RECEIVED OF Pat Mentele, P.O. Box 41, Woonsocket, SD 57385

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>5664-3</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

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 26 1996

5664-3

Pat Mentele
P.O. Box 41
Woonsocket, SD 57385

Dear Mr. Mentele:

Enclosed is Water License No. 5664-3 and Receipt No. 415200 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 5664-3 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 5298-3 have been incorporated into this
Water License No. 5664-3.

February 14, 2002

Pat Mentele stopped in the office to discuss his Water Right No. 5664-3. He indicated that the W $\frac{1}{2}$ of Section 7 portion of the water right which he had leased is now operated by another person. He has intentions of leasing property in the NE $\frac{1}{4}$ of Section 7 and constructed a dugout to irrigate approximately 150 acres. He filed a new water right permit application for this irrigation and will file the fee of \$300 when he intends to pursue. He first wants to get clearance from the NRCS on the dugout.

He still owns the dugout and the acreage in Section 18 (3 acres) that is included for irrigation. When and if they present leasee of the property in the W $\frac{1}{2}$ of Section 7 comes in to transfer ownership, Mr. Mentele wants to be sure the his authorized portion of Water Right No. 5664-3 including the acreage and the dugout in Section 18 gets transferred to him.

Eric Hundert

5664-3



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 22, 2010

NOTICE

TO: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041

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) 5664-3. 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) 5664-3 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) 5664-3 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. If you prefer, you can complete the questionnaire online at the following link: <https://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.

5664-3

[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9242

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

Your item was delivered at 1:39 PM on January 26, 2010 in
WOONSOCKET, SD 57385. The item was signed for by P MENTELE.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 26, 2010, 1:39 pm, WOONSOCKET, SD 57385
- Notice Left, January 23, 2010, 9:15 am, WOONSOCKET, SD 57385
- Arrival at Post Office, January 23, 2010, 7:06 am, WOONSOCKET, SD 57385

Notification Options

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No FEAR Act EEO Data

FOIA

U.S. Postal Service Signature Confirmation ReceiptSIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 9242

PAT MENTELE
PO BOX 41
WOONSOCKET SD 57385 0041

ailing.

Waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
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- ☐ Priority Mail™ Service
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**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 27, 2010

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57285-0041

Dear Mr. Mentele:

I am writing to acknowledge receipt of the information for your 2009 irrigation questionnaire. I completed a questionnaire for you based on my January 26th phone conversation with Mrs. Mentele. The questionnaire reflects no irrigation took place in 2009 however you plan to irrigate this coming season.

You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 5664-3. 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 black ink that reads "Genny McMath".

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



5664-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5664-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5664-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5664-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2013

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57385-0041

Dear Mr. Mentele:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 5664-3. 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



5664-3
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 16, 2015

NOTICE

TO: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041

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) 5664-3. 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) 5664-3 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) 5664-3 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
and NATURAL RESOURCES

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

denr.sd.gov

February 2, 2015

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57385 0041

Dear Mr. Mentele:

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. 5664-3. 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



5664-3
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 15, 2016

NOTICE

TO: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5664-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 5664-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 5664-3 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, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 25, 2016

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57385-0041

Dear Mr. Mentele:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 5664-3. 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



5664-3
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 26, 2018

NOTICE

TO: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041
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) 5664-3. 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) 5664-3 qualification:

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

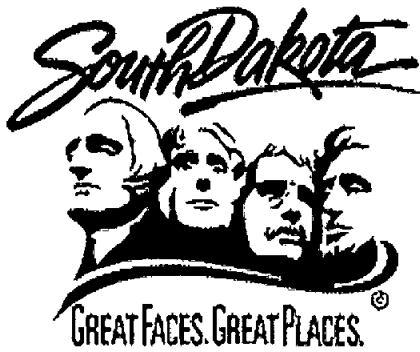
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 5664-3 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2018

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57385-0041

Dear Mr. Mentele:

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. 5664-3. 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 black ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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

5664-3



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: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041

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) 5664-3. 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) 5664-3 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) 5664-3 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. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: WXCQMU**

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.

5664-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57385-0041

Dear Mr. Mentele:

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. 5664-3. 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 blue ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

5664-3



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: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041

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) 5664-3. 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) 5664-3 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) 5664-3 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: CMNULQ**

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.

5664-3

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5664-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 3, 2022

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

TO: Pat Mentele, PO Box 41, Woonsocket SD 57385-0041

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 5664-3

On March 2, 2022, the Water Management Board ordered:

Effective April 4, 2022, Water Right No. 5664-3 be suspended for the 2022 irrigation season for failure to submit the 2021 irrigation questionnaire.

If the 2021 irrigation questionnaire is received prior to April 4, 2022, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2022 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2022 unless the 2021 irrigation questionnaire is submitted by April 4, 2022.

After April 4th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2021 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 4-5, 2022, in Pierre, SD. The letter should include your reasons for not completing the 2021 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.

5664-3

CERTIFICATION

I hereby certify that on March 3, 2022, I have personally deposited with the United States mail at Pierre, South Dakota, a first class postage prepaid envelopes containing a "Notice" dated March 3, 2022, concerning Board action to amend and/or suspend water rights to the following:

Amendments:

No. 3487-3: Dave Hanson, 31489 455th Ave., Meckling SD 57069
 No. 2460-3: Ryan Patterson, 10946 425th Ave., Britton SD 57430
 Patterson Farm Inc, 42474 SD Hwy 10, Britton SD 57430

Amend & Suspend:

Nos. 1397-2, 2647-2 & 2701-2: Cody Burull, 25299 Deer Valley Rd, Reliance SD 57569

Nos. 2072-3, 2126-3, 3204-3, 7236-3 & 7237-3:

- David Ulvestad, 46720 201st St., Bruce SD 57220
- Darwin Ulvestad, 46679 201st St, Bruce SD 57220

Three year suspensions:

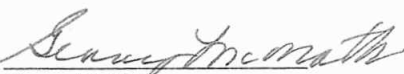
No. 410B-2: Kathi Koester, PO Box 206, Custer SD 57730-0206
 Nos. 1350-3 & 6042-3: Scott Jensen, 24348 478th Ave., Dell Rapids SD 57022

One year suspensions:

No. 6947-3: Joe Adler, 48353 149th St, Milbank SD 57252
 Nos. 6263-3 & 8041-3: George G Hofer, Cedar Grove Colony, 36926 266th St, Platte SD 57369
 No. 881-2: Ryan Edwards, 25331 Yellow Eagle Rd, White River SD 57579
 No. 6316-3: Howard Athletic Club Inc., 508 E Farmer Ave., Howard SD 57349-9017
 Nos. 2851-3 & 4955-3: David Huber, 16010 413th Ave., Conde SD 57434

 Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3: Joey Waldner Colony, 40068 Huron Colony Lane, Huron SD 57350-8001

 Nos. 7286-3 & 7543-3: Brian Kozak, 30620 417th Ave., Tyndall SD 57066
 No. 5665-3: Pat Mentele, PO Box 41, Woonsocket SD 57385-0041
 No. 8326-3: Jerry D Nelsen, 45125 291st St., Viborg SD 57070
 No. 7005-3: Troy Randall, Randall Enterprise LLC, 24250 479th Ave., Dell Rapids SD 57022 6139
 No. 2497-2: Marty Vanderploeg, 22958 293rd St, Martin SD 57551-5930
 No. 8265-3: Carl Pulvermacher, Wiskota Farm, 14050 SD Hwy 25, Webster SD 57274
 Nos. 516-1 & 715-1: Lawrence Woodward, PO Box 220, Dupree SD 57623-0220



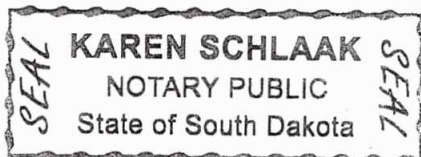
Genny McMath
 Program Assistant-Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of March, 2022.



Karen Schlaak
 Notary Public
 My Commission expires April 1, 2025





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 7, 2022

5664-3

Pat Mentele
PO Box 41
Woonsocket SD 57385-0041

Dear Mr. Mentele:

On March 2, 2022, the Water Management Board ordered Water Right No. 5664-3 suspended if the 2021 irrigation questionnaire was not received prior to April 4, 2022. 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 2022 irrigation season.

If you have any questions, please contact us.

Sincerely,

Ron Duvall
Water Rights Permitting Administrator
Water Rights Program
(605) 773-3352

5664-3



**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: PAT MENTELE, PO BOX 41, WOONSOCKET, SD 57385 0041

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) 5664-3. 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) 5664-3 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) 5664-3 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: RFLGVD**

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 30th, 2026

5664-3

Pat Mentele
PO Box 41
Woonsocket, SD 57385 0041

Dear Mr. Mentele,

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