

WATER PERMIT NO. 5885-3

Name of Applicant: William E. McDonald

Address: 114 South Crawford, Chamberlain SD 57325

Phone: 605 734-5834

Amount of Water Claimed: no add'l

Total Acres: no add'l

Source of Water Supply: Missouri River

Water to be used for: irrigation

County: Brule

Type of Waste Disposal System: NA

Location: 2 miles east of Chamberlain

PRIORITY Date Received: 9-7-95

Fee: \$50.00

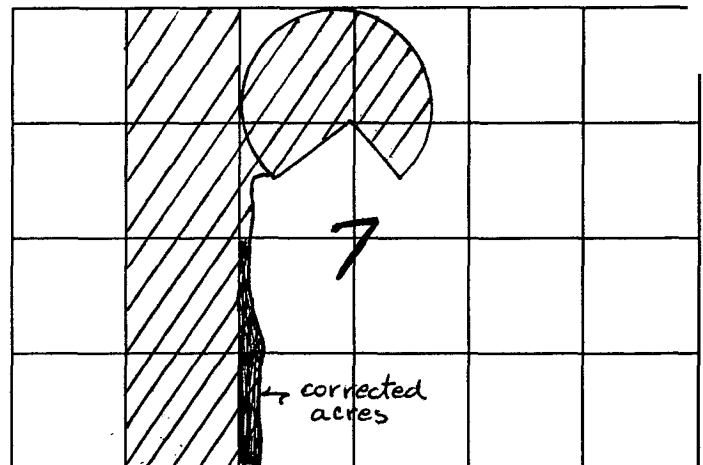
Corrected Application Received: 9-18-95

Period of Annual Use: April 1 - October 31

Remarks: This application correct^s the location of 10 irrigated acres and add a diversion point. The diversion point is owned and operated by the Hilltop Irrigation Project.

Diversion Point: SW 1/4 SW 1/4 Sec 36-T105N-
R71W (Hilltop Irrigation Project)

Land to be Irrigated: E 1/2 SW 1/4 Sec 7-
T104N-R70W



Depth of Well: NA

Well Driller: NA

Remarks:

Type of Map: areial

Prepared by: Barry McLaury

Reviewed and the Number Assigned on: 9-18-95

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)



Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. 5885-3 Hydrologic Unit 10140101
Basin Missouri River
Newspaper Chamberlain Register, Chamberlain, SD
(office use only)

Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to Permit No. 3068-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

Add a diversion point and correct the location of 10 irrigated acres.

- Name of Applicant William E. McDonald Phone 734-5834
(check one) Owner Tenant/lessee
Mailing Address 114 South Crawford, Chamberlain State SD 57325
(Street, RR, or Box) (Zip Code)
- Amount of water claimed NO add'l *CFS or **GPM ***AF Total Acreage NO Add'l
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Surface Water - Missouri River
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SW⁴ of section 36;
T105N R71W.
County Brule
- County or counties where water will be used Brule
- Annual period during which water is to be used April through October 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NE⁴ SW⁴ Section 7 T104N R70W</u>	<u>4</u>		
<u>SE⁴ SW⁴ Section 7 T104N R70W</u>	<u>6</u>		

8. Give a description of the project. (Attach sheet if more space is needed)

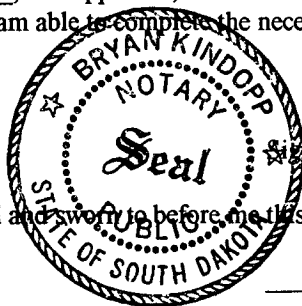
This application proposes to correct the location of 10 irrigated acres under water Permit No. 3068-3. This application also adds a diversion point located in the SW⁴ of section 36; T105N R71W. The diversion point is owned and operated by Hill Top Irrigation Project.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of BRULE ss

I, WILLIAM E. McDONALD, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.



Signed William E McDonald
Subscribed and sworn to before me this 5th day of September 19 95
B. Kindopp
Notary Public
BRYAN KINDOPP, Notary Public
My Commission Expires
October 29, 1999

**SOUTH DAKOTA
WATER PERMIT NO. 5885-3**

Date of first receipt of application September 7, 1995.

Date of return to applicant for corrections, amendments or changes September 13, 1995.

Date of receipt of corrected application September 18, 1995.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5885-3 to William E. McDonald, 114 South Crawford, Chamberlain SD 57325 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. 5885-3 specifies the correct location of the irrigated acreage and adds a diversion point. Water Permit No. 3068-3 appropriates 3.68 cubic feet of water per second (cfs) from the Missouri River located in the NE 1/4 SE 1/4 Section 3-T104N-R71W to irrigate 340 acres in the NW 1/4, W 1/2 NE 1/4, W 1/2 SW 1/4, W 1/2 SE 1/4 Section 7-T104N-R71W. An investigation of Permit No. 3068-3 found an additional diversion point located in the SW 1/4 SW 1/4 Section 36-T105N-R71W (Hilltop Irrigation Project diversion) being utilized and supplying 3.66 cfs to irrigate 241 acres. Both diversion points have been developed for this irrigation project. This permit corrects the location of 10 acres of the 241 acres being irrigated. The correct location of the 10 acres is the E 1/2 SW 1/4 Section 7-T104N-R70W. No increase in diversion rate or number of irrigated acres is authorized by this permit.
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 October 4, 1976.
4. The date of approval of Permit No. 5885-3 is December 18, 1995.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

APR 3 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 30, 1995

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

Dear Mr. McDonald:

After an inspection of your Water Permit No. 3068-3 on June 12, 1995, I found that your diversion point with Hill Top Irrigation Project is not covered by your permit. Also, there are a total of 10 irrigated acres in the E1/2 SW1/4 of Section 7; T104N R70W that are not covered by your permit.

Water Permit No. 3068-3 authorizes appropriation of 3.68 cubic feet of water per Second (1650 GPM) from your diversion point located in Section 3; T104N R71W to irrigate 340 acres in Section 7; T104N R70W. The inspection found that you are capable of pumping 1650 GPM and irrigating a total of 241 acres.

According to South Dakota Codified Law 46-5-6, you may appropriate up to 1 CFS for each 70 acres, or the equivalent thereof. For purposes of irrigating 241 acres, this equates to 3.44 CFS (241 divided by 70). Therefore, you will only be granted 3.44 CFS on your Water License.

The enclosed application is for a new permit to change the location of the 10 irrigated acres under Water Permit No. 3068-3. This application also adds the Hill Top Irrigation Project diversion point location to your water permit for irrigation on the following lands:

T104N R70W	SECTION 7	NW1/4 NE1/4	25 acres
		NE1/4 NW1/4	33 acres
		NW1/4 NW1/4	40 acres
		SW1/4 NE1/4	08 acres
		SE1/4 NW1/4	11 acres
		SW1/4 NW1/4	40 acres
		NE1/4 SW1/4	04 acres
		NW1/4 SW1/4	40 acres
		SE1/4 SW1/4	06 acres
		SW1/4 SW1/4	34 acres

NOTE: The highlighted acreage's above are not covered by your permit. The new water permit will be incorporated with Water Permit 3068-3 for a combined diversion rate of 3.44 CFS (1 CFS per 70 acres) to irrigate 241 acres.

Please fill out the bottom of the enclosed partially completed application. Note that the application must be signed in the presence of a Notary Public. Please return the application with an application fee of \$50.00 in the self-addressed envelope provided.

If you have any questions, feel free to contact me at 605-773-3352.

Sincerely,

A handwritten signature in black ink that reads "Barry A. McLaury". The signature is written in a cursive, slightly slanted style.

Barry A. McLaury
Water Rights Division

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 13, 1995

William E. McDonald
114 South Crawford
Chamberlain SD 57325

Dear Mr. McDonald:

We have received your *Application for Permit to Appropriate Water for Irrigation*. As stated in our letter dated August 30, 1995, the filing fee for this application to add a diversion point and correct the location of 10 irrigated acres, is \$50.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

Sorry I forgot this check

*thank you
Bill*

RECEIPT

414620

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 18, 19 95

RECEIVED OF William McDonald, 114 Crawford, Chamberlain, SD 57325

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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

Report on Water Permit Application No. 5885-3

William E. McDonald

October 25, 1995

Background

Water Permit Application No. 5885-3 requests the correction of the irrigated acreage and add a diversion point to the irrigation project authorized by Water Permit No. 3068-3. Water Permit No. 3068-3 authorizes use of 3.68 cubic feet of water per second (cfs) from the Missouri River for irrigation of 340 acres located in the NW1/4, W1/2 NE1/4, W1/2 SW1/4, W1/2 SE1/4 Section 7, T104N-R70W. The diversion point is located in the NE1/4 SE1/4 Section 3, T104N-R71W, in Brule County. This application is to correct the location of 10 acres of the acreage being irrigated and to add a diversion point. The correct location of the 10 acres is E1/2 SW1/4 Section 7, T104N-R70W. The new diversion point is located in the SW1/4 SW1/4 Section 36, T105N-R71W (Hilltop Irrigation Project). The application does not authorize an increase in the diversion rate or the irrigated acreage.

Discussion

On June 12, 1995, Barry McLaury, Water Rights Program Staff, investigated Water Permit No. 3068-3. The investigation showed that the applicant has developed an additional diversion point, diverting 3.66 cfs and irrigates 241 acres.

The applicant uses a 1650 gallon per minute pump and a 150 horse power motor to divert water from the diversion point located in the NE1/4 SE1/4 Section 3, T104N-R71W.

Water Right No. 2704A-3 for Hilltop Irrigation District, authorizes the District to irrigate 1911.0 acres with water from the Missouri River. Originally, the applicant was a member of the District, but later decided to develop his own irrigation system and opted out of the District. The investigation of June 12, 1995, showed that he is now a member of the District and uses the District's diversion point, in addition to his own, to irrigate the 241 acres.

Conclusions

1. Ample water is available for this project.
2. If Water Permit Application No. 5885-3 is approved, it should be approved with the Irrigation Questionnaire qualification.



M. Rassool Ahadi
Natural Resources Engineer III

Approved By:



Delvin D. Brosz, P.E.
Natural Resources Engineer IV

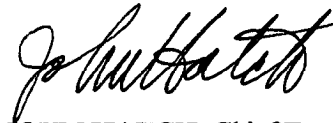
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5885-3, William E. McDonald**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5885-3, William E. McDonald, 114 South Crawford, Chamberlain, SD 57325.

The Chief Engineer is recommending APPROVAL of Application No. 5885-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) 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.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
December 31, 1995



**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.**

November 13, 1995

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

Dear Mr. McDonald:

Water Permit Application No. 5885-3 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 Chamberlain Register printed at Chamberlain, SD (Ph # (605) 734-6360). 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
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

November 13, 1995

Chamberlain Register
Box 550
Chamberlain, SD 57325-0550

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5885-3 to be published twice. Please publish the first notice on November 30, 1995, 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 William E. McDonald, 114 South Crawford, Chamberlain, SD 57325 (Ph # (605) 734-5834).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

No. _____

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 November 30, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5885-3 to Appropriate Water
and Amend Water Permit No. 3068-3

Notice is given that William E. McDonald, 114 South Crawford, Chamberlain, SD 57325 has filed an application for a water permit to specify the correct location of the irrigated acreage and to add a diversion point. Water Permit No. 3068-3 appropriates 3.68 cubic feet of water per second (cfs) from Missouri River located in the NE 1/4 SE 1/4 Section 3, T104N, R71W to irrigate 340 acres in the NW 1/4, W 1/2 NE 1/4, W 1/2 SW 1/4, W 1/2 SE 1/4 Section 7; all in T104N-R70W. An investigation of Permit No. 3068-3 found an additional diversion point located in the SW 1/4 SW 1/4 Section 36-T105N-R71W (Hilltop Irrigation Project diversion) being utilized and supplying 3.66 cfs to irrigate 241 acres. Both diversion points have been developed for this irrigation project. This application is to correct the location of 10 acres of the 241 acres being irrigated. The correct location of the 10 acres is E 1/2 SW 1/4 Section 7-T104N-R70W. No increase in diversion rate or number of irrigated acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5885-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 December 18, 1995.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of _____) SS

1. ROD HAYS



certify that the attached printed Notice was

taken from the CHAMBERLAIN -

DACOMA REGISTER

printed and published in CHAMBERLAIN

County of BRULE and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

Nov. 30, 1995

Dec. 7, 1995

Cost of Printing: 38⁰¹

**NOTICE OF APPLICATION NO. 5885-3
 TO APPROPRIATE WATER AND
 AMEND WATER PERMIT NO. 3068-3**

Notice is given that William E. McDonald, 114 South Crawford, Chamberlain, SD 57325, has filed an application for a water permit to specify the correct location of the irrigated acreage and to add a diversion point. Water Permit No. 3068-3 appropriates 3.68 cubic feet of water per second (cfs) from Missouri River located in the NE1/4 SE1/4 Section 3, T104N, R71W to irrigate 340 acres in the NW1/4, W1/2 NE1/4, W1/2 SW1/4, W1/2 SE1/4 Section 7; all in T104N-R70W. An investigation of Permit No. 3068-3 found an additional diversion point located in the SW1/4 SW1/4 Section 36-T105N-R71W (Hilltop Irrigation Project diversion) being utilized and supplying 3.66 cfs to irrigate 241 acres. Both diversion points have been developed for this irrigation project. This application is to correct the location of 10 acres of the 241 acres being irrigated. The correct location of the 10 acres is E1/2 SW1/4 Section 7-T104N-R70W. No increase in diversion rate or number of irrigated acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL of Application No. 5885-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the

application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The chief engineer's address is "Water Rights Program, 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 Dec. 18, 1995.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

(Nov. 30, Dec. 7)

Rod Hays
 (Signature)

Publisher
 (Title)

Dec. 8, 1995
 (Date Signed)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 3 1996

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

Dear Mr. McDonald:

Enclosed is Water Permit No. 5885-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

415068

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, September 3, 19 96

RECEIVED OF William McDonald, 114 Crawford, Chamberlain, SD 57325

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. 5885-3	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 26, 1996

SECOND NOTICE
Permit No. 5885-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

Dear Mr. McDonald:

On April 3, 1996, you were notified the final inspection fee of \$50.00 is due before Water License No. 5885-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

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

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

5885-3

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

4a. Article Number

P 378 081 290

4b. Service Type

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

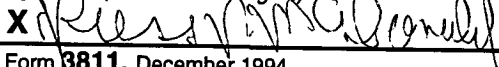
7. Date of Delivery

Dec 27-96

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X 

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Permit No. 5885-3
Missouri 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, **June 12, 1995**, made a thorough examination of the water use system constructed by **William E. McDonald** of **114 South Crawford, Chamberlain, SD 57325** holder of Permit Nos. **3068-3 & 5885-3**, bearing the priority of **October 4, 1976** authorizing the diversion of **3.68** cu. ft. per second from **surface water** for **irrigation** purposes, in **Brule** County.

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

A. Works used to divert the water:

A 150 HP Lincoln Multiguard motor with a 1650 GPM Peerless pump.
They are currently using Hill Top Irrigation Project water.

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

2350 feet of 6" PVC, 2700 feet of 8" PVC and 17,160 feet of 10" PVC.
2 booster pumps with Ford propane engines and Berkeley pumps with a combined pumping capacity of 1650 GPM.

C. Works used to apply water to beneficial use:

A 7 tower Linsey center pivot with a capacity of 550 GPM.
A 6 tower Linsey lateral move system with a capacity of 1100 GPM.

The system is in the following condition **good**. The points of diversion are located **650 feet E and 850 feet N from the SW corner of Section 36; T105N R71W (SW1/4 SW1/4) (Hilltop Irrigation diversion) & 2430 feet N and 510 feet W from the SE corner of Section 3; T104N R71W (NE1/4 SE1/4) (McDonalds diversion)**. The works are capable of diverting and conveying to the place of use **3.66** cu. ft. of water per second which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

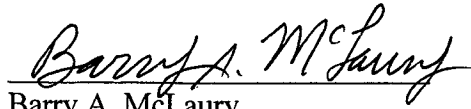
T104N R70W	SECTION 7	NW1/4 NW1/4	40 acres
		NE1/4 NW1/4	33 acres
		NW1/4 NE1/4	25 acres
		SW1/4 NW1/4	40 acres
		SE1/4 NW1/4	11 acres
		SW1/4 NE1/4	08 acres
		NW1/4 SW1/4	40 acres
		NE1/4 SW1/4	04 acres
		SW1/4 SW1/4	34 acres

comprising a total of **241** acres of land and the license should be issued for **3.44** cfs.

NOTE: They are currently using Hill Top Irrigation Project water. An application was made to correct the location of 10 irrigated acres and to add the Hill Top Irrigation Project diversion point. Water Permit No. 3068-3 will be incorporated into the new permit no. during licensing.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: **None** Date Report Completed: **8-29-95**



Barry A. McLaury
Natural Resources Scientist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5885-3

Other permit(s) associated with the project: 3068-3

DATE OF INSPECTION: June 12, 1995

NAME & ADDRESS OF INSPECTION CONTACT/

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: William E. McDonald, owner.

NAME & ADDRESS OF PERMIT HOLDER: William E. McDonald, 114 S Crawford, Chamberlain, SD 57325

DIVERSION POINT LEGAL LOCATION: 650 feet E and 850 feet North from the SW corner of Section 36; T105N R71W (SW1/4 SW1/4) (Hilltop Irrigation diversion) & 2430 feet N and 510 feet W from the SE corner of Section 3; T104N R71W (NE1/4 SE1/4) (McDonalds diversion).

NOTE: They are currently using Hill Top Irrigation Project water.

AT THE RIVER:

Pump:

- 1) Make Peerless
- 2) Model 8SLI30646
- 3) Capacity 1650 GPM

Motor:

- 1) Make Lincoln Multiguard
- 2) Model No. 444TS
- 3) Horsepower rating 150 hp

BOOSTER PUMPS: (NW1/4 NW1/4 Section 7)

Pump:

- 1) Make Berkeley
- 2) Model H7868
- 3) Capacity 550 GPM

Motor:

- 1) Make Ford
- 2) Model No. 6 cylinder propane
- 3) Horsepower rating 285 hp

Pump:

- 1) Make Berkeley
- 2) Model B4JH809-CW
- 3) Capacity 1100 GPM

Motor:

- 1) Make Ford
- 2) Model No. V8 propane
- 3) Horsepower rating 320 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 6 inches
- 3) Length 2,350 feet

17

- 1) Type PVC 2) Size 8 inches 3) Length 2,700 feet
- 1) Type PVC 2) Size 10 inches 3) Length 17,160 feet

SYSTEM TYPES:

Center pivot:

- 1) Make Linsey
- 2) Overall length 1180 feet
- 3) Number of towers 7
- 4) Distance between towers 169 feet
- 5) End gun Y
- 6) High or low pressure high
- 7) Capacity 550 GPM

Lateral Move:

- 1) Make Linsey
- 2) Length 1320 feet
- 3) Number of towers 6
- 4) Capacity 1100 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

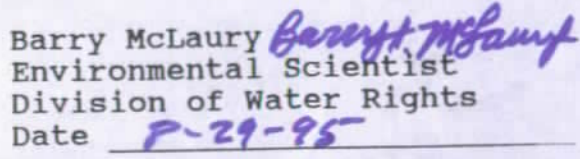
- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

This is the Best aerial
photo I could get ahold
of for the diversion
Point location for William
E. McDonald.

Barry

Barry McLaury
Environmental Scientist
Division of Water Rights
Date 8-29-95

Barry A. McLaury



5885-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5885-3

(1) William E. McDonald, 114 South Crawford, Chamberlain SD 57325 made Application No. 5885-3, September 7, 1995 for no additional water from the Missouri River, Brule County, South Dakota for irrigation purposes. Permit No. 5885-3, with a priority date of October 4, 1976 was approved December 18, 1995 and issued to the applicant for diversion of water with construction of the described water supply system completed and for application to beneficial use of said water completed.

Water Permit No. 5885-3 authorizes an additional diversion point and specified the correct location of the irrigated acreage that was developed but not permitted under Water Permit No. 3068-3. Water Permit No. 5885-3 did not allow an increase in the diversion rate or number of irrigated acres. The applicable portions of Water Permit No. 3068-3 have been incorporated into this Water License No. 5885-3.

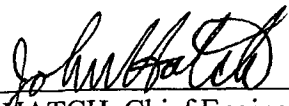
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.44 cubic feet of water per second for beneficial use. The location of the diversion points are: 650 feet east and 850 feet north from the southwest corner Section 36-T105N-R71W (SW 1/4 SW 1/4) (Hilltop Irrigation diversion) and 2,430 feet north and 510 feet west from the southeast corner of Section 3-T104N-R71W (NE 1/4 SE 1/4) (McDonald's diversion).

(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-T104N-R70W

NW 1/4 NW 1/4	40 acres	NW 1/4 SW 1/4	40 acres
NE 1/4 NW 1/4	33 acres	NE 1/4 SW 1/4	4 acres
SW 1/4 NW 1/4	40 acres	SW 1/4 SW 1/4	34 acres
SE 1/4 NW 1/4	11 acres	SE 1/4 SW 1/4	6 acres
NW 1/4 NE 1/4	25 acres		
SW 1/4 NE 1/4	8 acres		
Total			241 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 William E. McDonald, 114 South Crawford, Chamberlain SD 57325 the holder and/or owner of Incorporated Water Permit No. 5885-3 is issued a license to appropriate water, the right to use 3.44 cubic feet of water per second from the Missouri River with a priority date of October 4, 1976 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. 5885-3 and subject to South Dakota State Law.


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

OCT 17 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

5885-3

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

Dear Mr. McDonald:

Enclosed is Water License No. 5885-3 and Receipt No. 415068 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 5885-3 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. 3068-3 have been incorporated into this Water License No. 5885-3.



5885-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: RONNIE REIMER, RR 1 BOX 145, PUKWANA, SD 57370

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5885-3, 2706-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, 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 (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 2, 2000

2706-3
5885-3

Ronnie Reimer
RR 1 Box 145
Pukwana, SD 57370

Dear Mr. Reimer:

I am writing to acknowledge receipt of the information for your 1999 irrigation questionnaires. I completed forms for you based on my phone conversation with Sally Reimer. The forms reflect that no irrigation was done in 1999.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2706-3 and 5885-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



January 16, 2002

NOTICE

5885-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: RONNIE REIMER, 34611 255 ST, PUKWANA, SD 57370
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5885-3, 2706-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, 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 (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.

5885-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RONNIE REIMER
34611 255 ST
PUKWANA SD 57370

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

01-17-02

C. Signature

X *Ronnie Reimer*☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☒ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

2. A

7001 2510 0004 4797 5637



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2002

2706-3
5885-3

Ronnie Reimer
34611 255th St
Pukwana, SD 57370

Dear Mr. Reimer:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2706-3 and 5885-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 14, 2004

5885-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: RONNIE REIMER, 34611 255 ST, PUKWANA, SD 57370

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5885-3, 2706-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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



5885-3

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 29, 2004

2706-3
5885-3

Ronnie Reimer
34611 255th St
Pukwana SD 57370

Dear Mr. Reimer:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. I completed questionnaires for you based on our January 28th telephone conversation.

You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 2706-3 (your name) and 5885-3 (William McDonald). The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



5885-3
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: RONNIE REIMER, RENTER, 34611 255 ST, PUKWANA, SD 57370

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 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) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the 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>

c: WILLIAM MCDONALD, 114 S CRAWFORD, CHAMBERLAIN, SD 57325

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

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9983

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

Your item was delivered at 2:15 PM on January 23, 2010 in PUKWANA, SD 57370. The item was signed for by J CRUZ.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 2:15 pm, PUKWANA, SD 57370
- Arrival at Post Office, January 23, 2010, 8:24 am, PUKWANA, SD 57370

Notification Options

Track & Confirm by email

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

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Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 9983

RONNIE REIMER, RENTER
34611 255 ST
PUKWANA SD 57370

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9990

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 12:42 PM on February 1, 2010 in APOPKA, FL 32703. The item was signed for by W MCDONALD.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, February 01, 2010, 12:42 pm, APOPKA, FL 32703
- Processed through Sort Facility, February 01, 2010, 1:54 am, ORLANDO, FL 32824
- Processed through Sort Facility, January 28, 2010, 5:29 pm, MINNEAPOLIS, MN 55413
- Forwarded, January 23, 2010, 10:24 am, CHAMBERLAIN, SD
- Out for Delivery or Available at PO Box, January 23, 2010, 8:53 am, CHAMBERLAIN, SD 57325
- Sorting Complete, January 23, 2010, 8:23 am, CHAMBERLAIN, SD 57325
- Arrival at Post Office, January 23, 2010, 7:21 am, CHAMBERLAIN, SD 57325

Notification Options

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 0966 2090 0000 0912 E0E2	WILLIAM MCDONALD 114 S CRAWFORD CHAMBERLAIN SD 57325	
	Waiver of Signature ☐ YES ☐ NO	
	Postmark Here	
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811	
☐ Priority Mail™ Service		
☐ First-Class Mail® parcel		
☐ Package Services parcel		

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: William McDonald, PO Box 495, Chamberlain SD 57325

DATE: February 1, 2010

TELEPHONE:

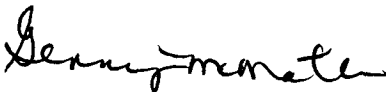
RE: 2009 irrigation questionnaire

COMMENTS:

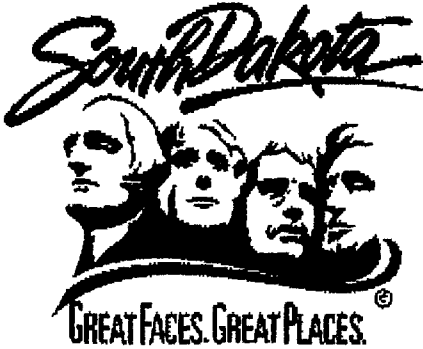
Mr. McDonald called and asked about the letter he received concerning the 2009 irrigation questionnaire. He was worried because the questionnaire was not in the box. I explained that the form had been sent to his renter and actually as of today was now on my desk.

He was happy to hear it had all been taken care of. He is in Florida for the winter and didn't have any records with him. He confirmed Ronnie Reimer still rented his land.

Mr. McDonald requested that we change his address from 114 S Crawford to PO Box 495 in Chamberlain.



Genny McMath
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2010

2706-3
5885-3

Ronnie Reimer
34611 255th St
Pukwana SD 57370

Dear Mr. Reimer:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2706-3 and 5885-3.

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



5885-3
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 21, 2011

NOTICE

TO: RONNIE REIMER, RENTER, 34611 255 ST, PUKWANA, SD 57370

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:
<http://denr.sd.gov/iq.aspx>

c: WILLIAM MCDONALD, PO BOX 495, CHAMBERLAIN, SD 57325 0495

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.

5885-3

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Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 1475**Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 2:58 pm on January 22, 2011 in PUKWANA, SD 57370. The item was signed for by S REIMER.

Detailed Results:

- Delivered, January 22, 2011, 2:58 pm, PUKWANA, SD 57370
- Arrival at Post Office, January 22, 2011, 8:25 am, PUKWANA, SD 57370

Notification Options

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FOIA

mailing.

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 1475

RONNIE REIMER, RENTER
34611 255 ST
PUKWANA SD 57370

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

☐ Priority Mail™ Service
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5885-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 1482

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

Your item was delivered at 12:59 pm on January 29, 2011 in APOPKA, FL 32703. The item was signed for by D PRITCHET.

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Enter Label/Receipt Number.

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Detailed Results:

- Delivered, January 29, 2011, 12:59 pm, APOPKA, FL 32703
- Processed through Sort Facility, January 28, 2011, 6:52 pm, ORLANDO, FL 32824
- Processed through Sort Facility, January 26, 2011, 6:44 pm, MINNEAPOLIS, MN 55413
- Forwarded, January 22, 2011, 10:04 am, CHAMBERLAIN, SD
- Out for Delivery, January 22, 2011, 8:22 am, CHAMBERLAIN, SD 57325
- Sorting Complete, January 22, 2011, 8:12 am, CHAMBERLAIN, SD 57325
- Arrival at Post Office, January 22, 2011, 7:21 am, CHAMBERLAIN, SD 57325

Notification Options

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FOIA

 United States Postal Service
Mission Statement: To deliver the mail every day, every where. United States Postal Service
Mission Statement: To deliver the mail every day, every where.SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 1482

WILLIAM MCDONALD
PO BOX 495
CHAMBERLAIN SD 57325 0495

Waiver of Signature ☐ YES ☐ NOPostmark
Here

re mailing.

POSTAL CUSTOMER:

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

- ☐ 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

February 3, 2011

2706-3
5885-3

Ronnie Reimer
34611 255th St
Pukwana SD 57370

Dear Mr. Reimer:

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

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 2706-3 and 5885-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: William McDonald



5885-3
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, 2012

NOTICE

TO: RONNIE REIMER, RENTER, 34611 255 ST, PUKWANA, SD 57370

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 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) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

c: WILLIAM MCDONALD, PO BOX 495, CHAMBERLAIN, SD 57325 0495

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.

5885-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 2012

2706-3
5885-3

Ronnie Reimer
34611 255th St
Pukwana SD 57370

Dear Mr. Reimer:

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

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 2706-3 and 5885-3. 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

c: William McDonald



5885-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: RONNIE REIMER, RENTER, 34611 255 ST, PUKWANA, SD 57370

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5885-3 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) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the 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>

c: WILLIAM MCDONALD, PO BOX 495, CHAMBERLAIN, SD 57325 0495

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**

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

February 7, 2013

2706-3
5885-3

Ronnie Reimer
34611 255th St
Pukwana SD 57370

Dear Mr. Reimer:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2706-3 and 5885-3. 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 11, 2016

5885-3

William McDonald
PO Box 495
Chamberlain SD 57325

Dear Mr. McDonald:

I am contacting you in regard to your Water Right No. 5885-3 (copy enclosed). Back in January, we received a call from Ronnie Reimer indicating he no longer rented the land from you and did not have any information on what may have been irrigated in 2015.

Please take a few minutes to call or write to us concerning who now rents the land from you. We can add that person to our mailing list for future irrigation questionnaires. If you have the information from last year on whether or not the land was irrigated, we would need to gather that as well.

I am enclosing a postage paid envelope for your reply. If it is easier you can call me at (605) 773-3352. Thank you in advance for your help.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 13, 2016

5885-3

Jason McDonald
34675 245th St
Chamberlain SD 57325

Dear Mr. McDonald:

Thank you for calling concerning the land you farm for William McDonald. I have enclosed a copy of the water right for your records.

During our phone conversation we discussed sending the annual irrigation questionnaire directly to you. I reviewed our records and am sending copies of the 2005 and 2006 irrigation questionnaires to show you the type of information you will need to keep track of during the irrigation season.

One thing that I note from the records is the land has not been irrigated in the last 10 years. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water right. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

This above may have no bearing on your farming operation but I wanted to make you aware of the criteria for maintaining a water right. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



5885-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: JASON MCDONALD, MGR, 34675 245TH ST, CHAMBERLAIN, SD 57325
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5885-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5885-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

c: WILLIAM MCDONALD, PO BOX 495, CHAMBERLAIN, SD 57325 0495

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 27, 2017

5885-3

Jason McDonald, Mgr
34675 245th St
Chamberlain SD 57325

Dear Mr. McDonald:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 5885-3. 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



5885-3
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: JASON MCDONALD, MGR, 34675 245TH ST, CHAMBERLAIN, SD 57325
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) 5885-3. 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) 5885-3 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:

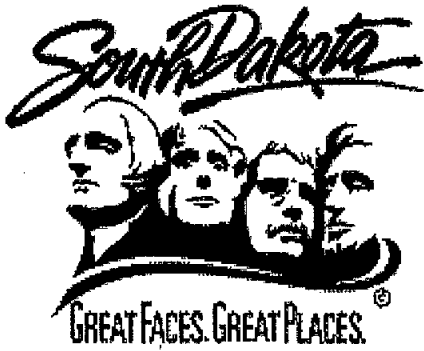
1. Suspend or cancel Permit No(s) 5885-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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>

c: WILLIAM MCDONALD, PO BOX 495, CHAMBERLAIN, SD 57325 0495

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 27, 2018

5885-3

Jason McDonald
34675 245th St
Chamberlain SD 57325

Dear Mr. McDonald:

I am writing to acknowledge receipt of the 2017 irrigation questionnaire for Water Right No. 5885-3 held by William McDonald.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 5885-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

With reference to your intent towards the water right, I note you marked the questionnaire "use abandoned". Typically when an irrigator indicates the use has been abandoned, the water right is scheduled for cancellation consideration. Prior to doing that, I wanted to check with you and also with William McDonald to ensure that was the intent and you no longer wished to maintain the water right.

I do not have phone numbers for either of you so if you would, please contact me and we can discuss the water right.

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

c: William McDonald, PO Box 495, Chamberlain SD 57325



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 27, 2018

5885-3

Jason McDonald, Mgr
34675 245th St
Chamberlain SD 57325

Dear Mr. McDonald:

Thank you for sending in the 2018 irrigation questionnaire for Water Right No. 5885-3. Water Right No. 5885-3 authorizes diversion of water from the Missouri River to irrigate 241 acres located in the W 1/2, W 1/2 NE 1/4 Section 7-T104N-R70W .

On the form, you checked the box "use abandoned". Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. A review of the records shows this land has not been irrigated for many years.

If the use has been abandoned and you do not intend to irrigate in the future, the water right could be scheduled for cancellation consideration. Prior to doing that, I wanted to touch base with you to verify your intentions regarding the water right.

Please take a few minutes and give me a call concerning the water right. Thank you in advance for your help.

Sincerely,

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

c: William E. McDonald, PO Box 495, Chamberlain SD

2018 Water Management Board Irrigation Questionnaire

Please fill out and return before December 3, 2018

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

Permit No. 5885-3

JASON MCDONALD, MGR
34675 245TH ST
CHAMBERLAIN SD 57325

Any address/ownership corrections?

Email _____

Phone _____

1. Did you irrigate in 2018? *yes ☐ **no ☒

*If yes, number of acres irrigated? _____

**If no, check reason(s) for not irrigating acres covered by Permit No. 5885-3

sufficient moisture ☐ no water available ☐

system not constructed ☐ use abandoned ☒

enrolled in CRP ☐, through what year? _____

other ☐, please explain in the Comment Box:

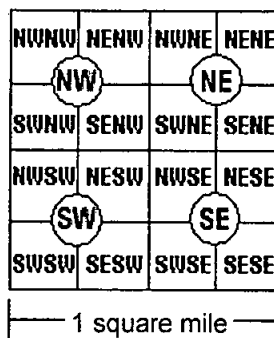
Comment Box

2. If your answer to question No. 1 is "no," you are done! If you answered "yes," please complete Nos. 3, 4 & 5.

3. Did you apply chemicals or fertilizer through the system in 2018? yes ☐ no ☐

4. If more than one water source is listed below, circle each source used. A. MISSOURI RIVER

5. Provide your water use on the back of this form.



Office use only

RECEIVED
NOV 08 2018
WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 5885-3

(see above section map for help reading legal descriptions)

sec 07-T104N-R70W, NW1/4 - 124.0 acres
sec 07-T104N-R70W, NW1/4NE1/4 - 25.00 acres
sec 07-T104N-R70W, SW1/4NE1/4 - 8.00 acres
sec 07-T104N-R70W, NW1/4SW1/4 - 40.00 acres
sec 07-T104N-R70W, NE1/4SW1/4 - 4.00 acres
sec 07-T104N-R70W, SW1/4SW1/4 - 34.00 acres
sec 07-T104N-R70W, SE1/4SW1/4 - 6.00 acres

Please provide your 2018 water use to irrigate the above acreage on the REVERSE side of this form.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Jason McDonald Mgr, 34675 245th St, Chamberlain SD 57325

DATE: December 10, 2018

RE: status of use under No. 5885-3

Jason McDonald called in response to the letter sent to him November 27th with asked for verification on whether or not they intend to irrigate. The 2018 questionnaire was marked use abandoned.

Mr. McDonald indicated he has rented the land for the past 3 years. No irrigation has been done. He was leaning towards letting the water right go but he was not sure if the owner was ready for that. I explained legal excuse and he didn't say one way or the other if that would have played into his efforts to irrigate or not. He asked about how long it would take to get a new permit if he decided to irrigate. I explained the process and told him best case scenario would be anywhere from 2-4 months and that was dependent on the review process and what happened after the public notice occurred.

He is going to visit with the owner of the property and let us know on next year's irrigation questionnaire what they decided.



Genny McMath
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 4, 2018

5885-3

William E McDonald
3000 Clarcona Rd, Lot 107
Apopka FL 32703-8740

Dear Mr. McDonald:

Enclosed is a letter dated November 27, 2018 concerning the 2018 irrigation questionnaire.

The letter was originally mailed to PO Box 495, Chamberlain SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



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: JASON MCDONALD, MGR, 34675 245TH ST, CHAMBERLAIN, SD 57325
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) 5885-3. 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) 5885-3 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) 5885-3 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: UKXLWU**

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 1, 2022

5885-3

Jason McDonald
34675 245th St
Chamberlain SD 57325

Dear Mr. McDonald:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 5885-3. 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

5885-3



**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: JASON MCDONALD, MGR, 34675 245TH ST, CHAMBERLAIN, SD 57325

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) 5885-3. 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) 5885-3 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) 5885-3 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. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: STDZBJ**

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 8, 2023

5885-3

Jason McDonald
34675 245th St
Chamberlain SD 57325

Dear Mr. McDonald:

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. 5885-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I noticed on the form you marked "use abandoned". We discussed this back in 2018 and you confirmed you were not going to irrigate but wanted to check with the owner of the land to see what his intent was. We can certainly schedule the water right for cancellation and eliminate the annual reporting requirement if the water right is truly abandoned. We will need written verification from the owner in order to proceed with that.

If you have any questions, please contact me.

Sincerely,

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