

1. Considered _____, 19____
2. Name of Applicant _____
3. Post Office Address _____
4. Amount of water claimed _____ (1.21 May 1911)
5. Source of water supply _____
6. Water to be used for _____
Acres to be irrigated _____
7. Water to be diverted and used in _____ County about
_____ miles _____ of _____.
8. Proof of Publication Received _____
 Not Received _____
9. Application Approved ☒
 Subject to _____
 Not Approved _____
 Action deferred _____
10. Remarks: _____

No. 656-3

Water Division No. 3 Big Horn River District
(Blanks to be Filled by the Engineer for the W. R. C.)

AUG 26 1959

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Clarence & Gladys Machmiller
 Postoffice address Renner, County Minnehaha, State S. Dak.

I. If a corporation

- (a) Name of same
 (b) Date and place of incorporation
 (c) Amount of capital stock
 (d) Amount paid in
 (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Direct Labor & Contract
 (b) Cash on hand, \$ 5000.00 (c) Treasury stock, \$
 (d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work Clarence Machmiller 1st
 3. Amount of water claimed 1.4 cubic feet per second
 4. Source of water supply Well
 5. Location of point of diversion Center of Sec 80 (note accompanying map)
 on bank County.
 6. Annual period or periods during which water is to be used May thru Oct
 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

- (a) Number of acres to be irrigated 80 acres.

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use
 Name any of the above uses claimed
 (b) Amount of power to be generated horse power.
 Amount claimed for engine cooling
 (c) Location of plant
 (d) Method of developing power
 (e) Point where water will be returned to stream

Map No. 499-3

Range 105 N
Range 49

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures

2 pressure Systems \$3000.00

(b) Pumping plant, \$*2000.00*

Rock, \$-----

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height-----feet; length at bottom-----feet; length at top-----feet; thickness at bottom-----feet; thickness at top-----feet; slope at front water face-----; slope at back face-----

material used in construction-----

(b) Reservoir: Capacity when filled-----acre feet. Surface-----at highwater mark-----acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width-----feet; height-----feet;

Material-----

(d) Canal: Total length-----miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work-----*5* years.

11. Time required for complete application of water to the proposed beneficial use-----*5* years.

12. Choice of newspaper for publication of notice of intention to appropriate-----*Sioux Falls News, Sioux Falls, S. Dak.*

STATE OF SOUTH DAKOTA

County of *Minnehaha* ss.

I, *Clarence Mackmillan*, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed *Clarence Mackmillan*

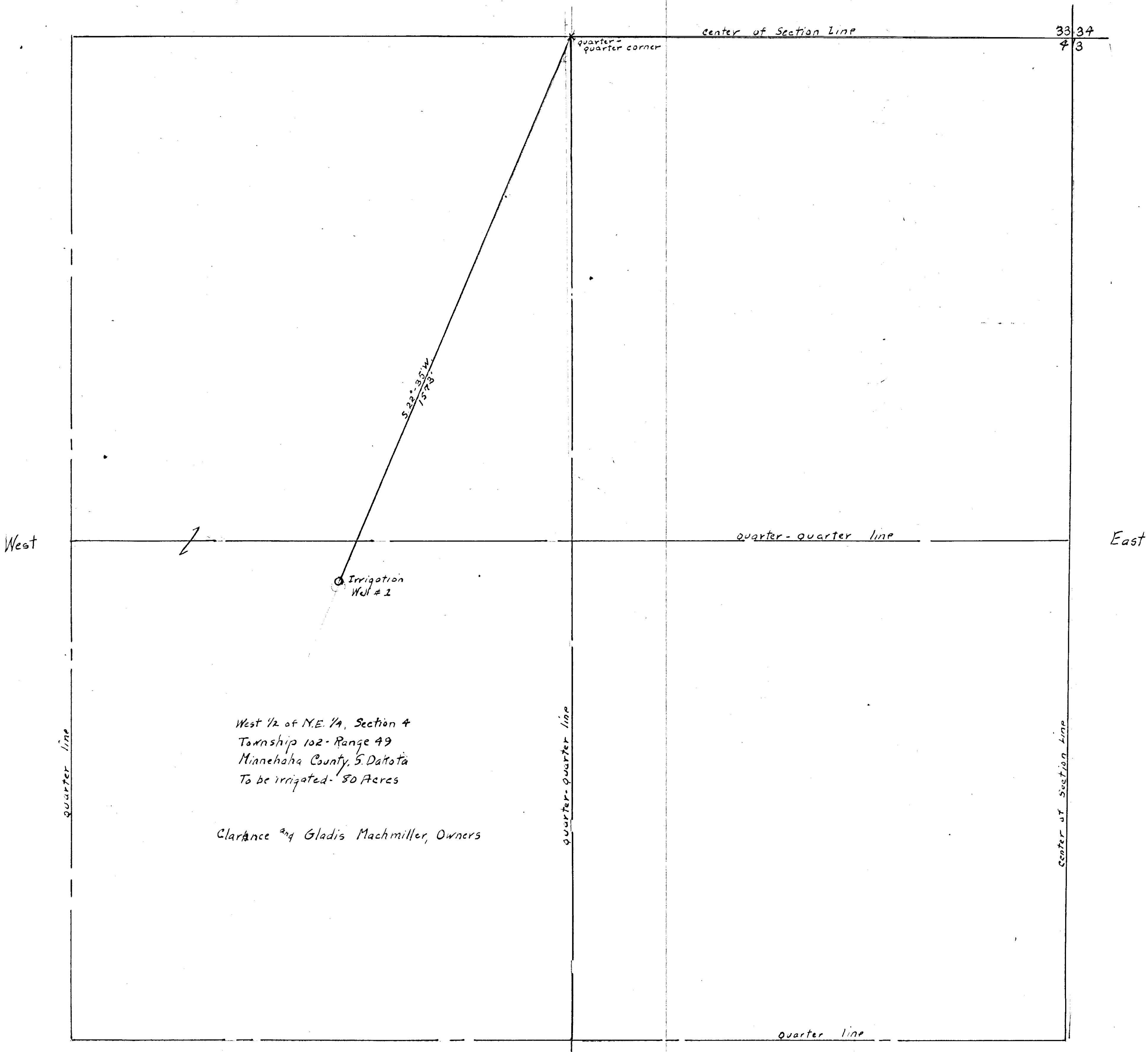
Subscribed and sworn to before me this-----*25* day of-----*August* 19*57*

V. S. Clinton
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Notary Public
My Commission Expires-----

North



Clarence and Gladis Machmiller's Irrigation Project # I
West 1/2 of N.E. 1/4, Section 4, Township 102-Range 49
Minnehaha County, South Dakota

I, Ellis V. Nelson, a licensed surveyor, hereby
certify that I have made survey of the West 1/2
of N.E. 1/4 of Section 4, Township 102-Range 49
Minnehaha County, South Dakota and located
irrigation well # I as indicated on the above
plat.

Dated at Sioux Falls, South Dakota, August 25, 1959

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss.
County of Minnehaha }

On this 25th day of August, 1959, before me, the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person
whose name is subscribed to the within certificate and
acknowledged that he executed the same for the pur-
pose therein contained.

In witness whereof I hereunto set my hand and
official seal.

Glen Hedstad
Notary Public
MY COMMISSION EXPIRES
JUNE 5, 1965

Ellis V. Nelson, Civil Engineer
Sioux Falls, South Dakota, August '59

Map No. 499-3 (App'l. No. 656-3)

Remarks by State Water Resources Commission:

The City of Sioux Falls has priority rights to this water under future use withdrawal permits, and this application is approved subject to these prior rights if or when the city develops the reserved water supplies.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, October 14, 1959

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock
A.m. upon the 28th day of August, 1959.

State Water Resources Commission

By:

Jeff Reimer

Chief Engineer, Executive Officer

Number of permit 656-3

Date of first receipt of application August 28, 1959

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

Date of receipt of corrected application —, 19—

Date from which applicant may claim right August 28, 1959

Approved October 7, 1959, Recorded in Book 5 Page 227

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before October 7, 1960

2nd. The whole of said work is to be completed on or before October 7, 1964

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is October 7, 1964

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 114 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before October 7, 1964; said water to be used during the following described annual period:

May to October, inclusive

Witness my hand this 14th day of October, 1959.

State Water Resources Commission

By:

Jeff Reimer

Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 6, 1966

Water License issued JANUARY 6, 1966

GRIMSHAW DRILLING CO.

4207 Wes. 4th St.
Sioux Falls, S. Dak.
Phone 2-5041

DRILLING LOG
AND STATEMENT

Chas. Arlain, S. Dak.
Phone 3J3
Sturgis, S. Dak.
Phone 943

Name Clarence Macmillan Date Aug 24
Address Sioux Falls

NO. FT.	DIA.	RATE	CASING	TOTAL
<u>32</u>	<u>4"</u>	<u>75¢</u>	<u>none</u>	<u>24.00</u>
<u>24</u>	<u>1"</u>	<u>50¢</u>	<u>11</u>	<u>12.00</u>

11 ft. to 12 ft. Sand
BALANCE DUE \$36.00

0 ft. to 3 ft. Topsoil 11 ft. to 12 ft. Sand
3 ft. to 7 1/2 ft. Clay 12 ft. to 24 ft. Clay
7 1/2 ft. to 39 ft. Sand & Water
39 ft. to 2 ft. Topsoil ft. to ft.
2 ft. to 5 ft. Clay ft. to ft.
5 ft. to 11 ft. Clay ft. to ft.

Static Water Level 8' ft. C. W. Grimshaw
Driller.

Nº 851

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 32'
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 18", Thickness of casing 14.26
 Length of casing 32 If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen Pennsylvania Drill (Lower)
 Size of perforated screen 18" (diameter), 12' (length)
 Thickness of gravel pack 6", length of gravel pack 32

(c) Water Bearing Materials

Distance to water 8 Character of water bearing materials
Coarse gray gravel & sand
 Thickness of water bearing material

(d) Pump and Motor

Type of pump Western Sand Roller Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump ", size 6"
 Kind of motor Elect
 (gasoline, electric, diesel, etc.)
 Horsepower 40, Name of Motor H. E.

(e) Complete well

Capacity 600 GPM at drawdown of 14" Estimated cost \$2000.00

(f) Owner of land upon which well is located

Name Clarence Mack Miller
 Address Rimmer So Dab

(g) Distance to nearest existing wells

On same owner's property 160 rods. On property owned by others 320 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 656-3

WHEREAS, On the 28th day of August A. D. 1959
 Clarence and Gladys Machmiller
 of Renner County of Minnehaha and State of
 South Dakota duly made application (No. 656-3) to us for a permit to use 1.14
 cubic feet per second of the waters of ground water
 County of Minnehaha State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 14th day of October A. D. 1959
 Permit No. 656-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 7th day of
 October 64 A. D. 1964 and for the application to beneficial use of said
 water on or before the 7th day of October A. D. 1965
 and,

WHEREAS, On the 4th day of January A. D. 1966
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.14
 cubic feet per second of said waters, as evidenced by our Certificate No. 656-3
 dated January 5, 1966 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.14 cubic feet per second of water, with date of
 priority of August 28, 1959 and,

WHEREAS, On the 4th day of January A. D. 1966
 proof was duly made of the application to beneficial use of 1.14 cubic feet per second of said water;
 for irrigation of 80 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 4, T102N, R49W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Clarence and Gladys Machmiller
of Renner the holder and owner of said permit No. 656-3
a water right, dating from August 28, 1959 to the use of 1.14
cubic feet per second of the waters of ground water
in the County of Minnehaha and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at a point in the SW 1/4 NE 1/4 Section 4,
T102N, R49W
and conducted to and upon the W 1/2 NE 1/4 Section 4, T102N, R49W
for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 6th day of January A. D. Nineteen
Sixty-Six
Hundred and _____

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 656-3Water Division No. 3 Big Sioux River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Clarence and Gladys Machmiller

of Ronan, County of Minnehaha, and State of South Dakota, the holder of Permit No. 656-3, issued upon Application No. 656-3, bearing date of priority of August 28, 1959, authorizing the diversion of 1.14 cu. ft. per second of the waters of ground water County of Minnehaha, State of South Dakota, at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T102N, R49W

for irrigation purposes, have fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.14 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 80 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 4, T102N, R49W

Witness my hand this 6th day of January 66 A. D. 19

State Water Resources Commission

By: J. W. GRIMES
Chief Engineer, Executive Officer

(First Publication before Sept. 11, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 3, 1959

Notice is hereby given that Clarence and Gladys Machmiller whose postoffice address is Renner S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.4 cubic feet of water per second of time from the ground water through the Clarence Machmiller #1, the point of diversion of which is to be located near the ~~base of the~~ SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4 Twp. 102 N Range 49 W Said water to be used for purpose of providing irrigation on the following described land:

 $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4, T 102 N, R 4~~not a~~ not a ~~not a~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of October, 1959, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~not a~~ not a ~~not a~~
Les Wyborny, Water Rights Engineer

cc C. D. Sanders, Publisher
The Garretson News
Garretson, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County MINNEHABA } ss.

C. D. Sanders being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Garretson News a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Garretson County of

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

September 10, 1959

September 17, 1959

September 24, 1959

October 1, 1959

in each and every issue of the full number thereof, the first publication being made on the 10th day of September 1959 and the last publication on the 1st day of

October 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was ~~the printer~~ the printer and publisher of the said newspaper.

C. D. Sanders

Subscribed and sworn to before me this 1 day of Oct. A. D. 1959

Notary Public
Minnehaha County, S. D.

APPROPRIATION OF WATER
 Office of State Water Resources
 Commission,

Pierre, S. Dak., September 3, 1959.
 Notice is hereby given that Clarence and Gladys Machmiller, whose postoffice address is Renner, S. Dak., have made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.4 cubic feet of water per second of time from ground water through the Clarence Machmiller No. 1, the point of diversion of which is to be located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Twp. 102 N. Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4, T 102 N
 R 49 W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of October, 1959, at 2:00 P. M. All interested persons may appear and be heard.

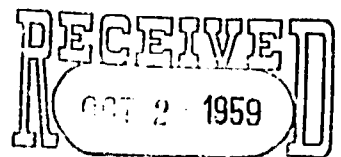
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Com.

By: Les Wyborny,

Water Rights Engineer.

(Pub. Sept. 10, 17, 24, Oct. 1)



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

November 24, 1964

Mr. Clarence Machmiller
Renner, S. Dak.

Dear Mr. Machmiller:

This will notify you that the Water Resources Commission has approved your request for an extension of time to prove beneficial use of water under Permit 656-3.

Under this action, you have until October 7, 1965 to complete the application of water.

Statutes require that we charge \$1.00 for recording this extension. Please remit this amount at your earliest convenience.

Sincerely,

BURTON F. JONES
Water Right Specialist

BEJ:mf

Permit No. 656-3
BIG SIOUX
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated

19....., I have this day made a thorough examination of the diversion works constructed by CLARENCE & GRADYS MACMILLER of RENNER

..... County, South Dakota, holder of Permit No. 656-3, issued upon Application No. 656-3, bearing date of priority of 8-28, 1959 authorizing the diversion of 1.14 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: WAUKESHA DIESEL ENGINE
MODEL 80 DAC 35HP WESTERN LAND PUMP 2 1/2" PUMP
20' WELL - 18" WELL 1/2 MILE 4" SPRINKLER LINE
1/4 MILE 6" MAINLINE
RAINBIRD SPRINKLERS 1/64 @ 30' SPACINGS

and the system is in the following condition: AS SHOWN ON APPLICATION
KTOD

The point of diversion is located AS SHOWN ON APPL

The works are capable of diverting and conveying to the place of use 1.14 cu. ft. per second of water, which is to be used for

The legal sub-divisions to be irrigated are: AS SHOWN ON MAP -
W2 NE4, SECTION 4, T102N, R49W

..... comprising a total of 80 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 4th day of January, A. D. 1964

—SEAL—

Burton J. Jones
 Examining Engineer
 OFFICIAL



Department of Water & Natural Resources

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

March 23, 1987

CLARENCE MACHMILLER
RR 1 BOX 156
RENNER, SD 57055

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 656-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm. May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.

Water & Natural Res. 656-3
Mar. 25 1987

Dear Sir:

Please send me a
questionnaire for 1986
regarding water use
It did not arrive in for 1986.
Also make an address
connection. My address
should read:

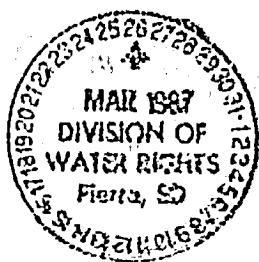
Clarence Washmiller

Rt 1 Box 631

Renner, S.D. 57055

Sincerely

C. Washmiller



**SOUTH DAKOTA Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3381

656-3

Clarence Machmiller
RR #1 Box 631
Renner, SD 57055

Dear Mr. Machmiller:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 656-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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



656-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN printed 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.

3. Article Addressed to:

CLARENCE MACHMILLER
47531 256TH STREET
RENNER SD 57055

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

Cl. H. Machmiller

PS Form 3811, December 1994

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

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

Consult postmaster for fee.

4a. Article Number

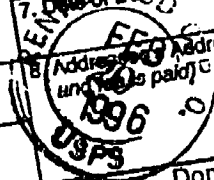
2 348 318 871

4b. Service Type

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

7. Date of Delivery

8. Address (Only if required)



Domestic Return Receipt

Thank you for using Return Receipt Service.



656-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 23, 1996

Clarence Machmiller
47531 256th St
Renner, SD 57055

656-3

Dear Mr. Machmiller:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 irrigation questionnaire.

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

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.
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2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CLARENCE MACHMILLER
47531 256TH STREET
RENNER SD 57055

4a. Article Number

456-5
F 378 081 378

4b. Service Type

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

7. Date of Delivery

Feb 1997

5. Received By: (Print Name)

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

1397

6. Signature: (Addressee or Agent)

Clarence Machmiller

Domestic Return Receipt

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656-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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PIERRE, SOUTH DAKOTA 57501-3181

February 18, 1997

656-3

Clarence Machmiller
47531 256th St
Renner, SD 57055

Dear Mr. Machmiller:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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



6256-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

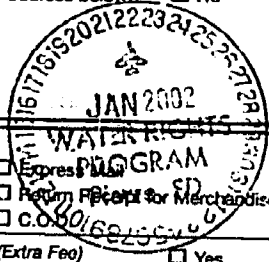
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

656-3

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
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	C. Signature <i>Clarence Machmiller</i> ☐ Agent ☐ Addressee	
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February 4, 2002

656-3

Clarence Machmiller
47531 256th St
Renner, SD 57055

Dear Mr. Machmiller:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 656-3.

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



656-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 17, 2003

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



656-3

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Delivery Status

You entered 2301 0370 0000 7540 6055

Your item was delivered at 11:39 am on January 18, 2003 in RENNER, SD 57055. The item was signed for by B MACGH.

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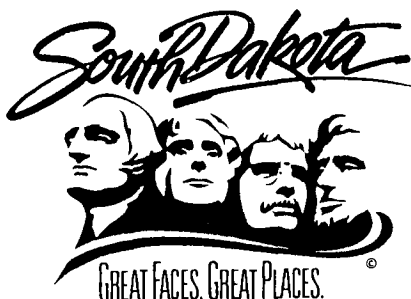
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February 21, 2003

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Mr. Machmiller:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 656-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

On your 2002 irrigation questionnaire you stated that you were semi retired and were not sure about future plans at this time. Please keep in mind that water must be placed to beneficial use at least once every three years in order to maintain your water right. This three-year period may be waived if legal excuse exists for not irrigating. Legal excuse as defined in Water Management Board Rules includes, but is not limited to, the following: 1) unavailability of water to satisfy a permit or right; 2) legal proceedings which prevent the use of water; or 3) water use under existing climatic conditions would result in a waste of water.

If you no longer wish to irrigate and retaining the water right is not critical to your farming operation, the above information may not be of interest to you. However, I wanted to let you know ahead of time what the criteria are for maintaining your water right.

If you have any questions, please contact me.

Sincerely,

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



656-3

DEPARTMENT of ENVIRONMENT
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PMB 2020
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January 14, 2004

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



656-3

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2301 3460 0000 8515 8640

CLARENCE MACHMILLER
47531 256TH STREET
RENNER SD 57055

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Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 6, 2004

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Mr. Machmiller:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 656-3.

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



656-3
DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

January 20, 2005

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 656-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No. 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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



656-3

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CLARENCE MACHMILLER
47531 256TH STREET
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Waiver of Signature ☐ YES ☐ NO

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February 9, 2005

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Mr. Machmiller:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 656-3.

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



656-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
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January 24, 2006

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



656-3

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2303 2160 0000 0799 4275

CLARENCE MACHMILLER
47531 256TH STREET
RENNER SD 57055

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 24, 2006

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Sir:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 656-3.

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



656-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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www.state.sd.us/denr

January 26, 2007

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 1, 2007**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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



656-3

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CLARENCE MACHMILLER
47531 256TH STREET
RENNER SD 57055

Waiver of Signature ☐ YES ☐ NO

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 9, 2007

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Mr. Machmiller:

I am writing to acknowledge receipt of the information for your 2006 irrigation questionnaire. A questionnaire was completed for you based on your phone conversation with Ron Duvall with our program. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 656-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2012

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Mr. Machmiller:

Enclosed is your 2012 irrigation questionnaire you recently submitted.

I note from the front of the form that you irrigated 15 acres. In order for the questionnaire to be considered complete, you also need to fill out the backside of the form with the water use information. Please include the pump rate, hours per day and days per month water was applied to the 15 acres.

The information reported to us each year by the irrigators is very valuable. We use it as a management tool to assess how much water is being used and whether additional water is available for new water permits. State law requires us to protect water availability for existing water users such as you before we issue new water permits.

I have enclosed a postage paid envelope for your reply. Thank you in advance for your help in completing the form.

Sincerely,

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

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

enclosures – irrigation questionnaire and postage paid envelope



656-3

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 18, 2013

NOTICE

TO: CLARENCE MACHMILLER, 47531 256TH STREET, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2013

656-3

Clarence Machmiller
47531 256th St
Renner SD 57055

Dear Mr. Machmiller:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 656-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



**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, 2014

NOTICE

TO: MACHMILLER FAMILY TRUST, 47531 256TH ST, RENNER, SD 57055

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2014

656-3

Dale Machmiller
Machmiller Family Trust
48554 252nd St
Garretson SD 57030

Dear Mr. Machmiller:

Thank you for calling concerning the irrigation questionnaire for Water Right No. 656-3. Based on our phone conversation, I have filled out an irrigation questionnaire for you which indicates that due to equipment issues, no irrigation was done in 2013.

Also enclosed as we discussed, is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have one, I am included a copy of Water Right No. 656-3. You may keep this for your records. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'. The signature is fluid and cursive, with the first name 'Genny' being more prominent.

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

enclosures



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



April 17, 2014

656-3

Dale Machmiller
Machmiller Family Trust
48554 252nd St
Garretson SD 57030

Dear Mr. Machmiller:

I am writing in follow-up to our phone conversation back in January concerning land described in Water Right No. 656-3, currently listed in the name of Clarence and Gladys Machmiller. On January 29th, I forwarded a partially completed transfer form to you for filing an ownership change for the water right. To date, I have not received anything back from you.

In the event you no longer have the original form, I am sending another copy. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIVED

JUN - 2 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 656-3

Date: _____

I/We request that Water Right No. 656-3

formerly owned by: Clarence & Gladys Machmiller

be transferred to: (name & address)

Dale Machmiller
48554 2nd Garrison South Dakota
57030 Telephone No. _____

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

80 acres - W 1/4 NE 1/4 Section 4, T102N, R49W

I/We understand that the validity of Water Right No. 656-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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

Dale Machmiller
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/2, 20 14

RECEIVED OF Dale Machmiller 48554 252nd St Garretson SD 57030

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 <u>656-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06872**

By J. Daniel Goodman
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



June 2, 2014

656-3

Dale Machmiller
48554 252nd St
Garretson SD 57030

Dear Mr. Machmiller:

Thank you for following up on the ownership change for Water Right No. 656-3.

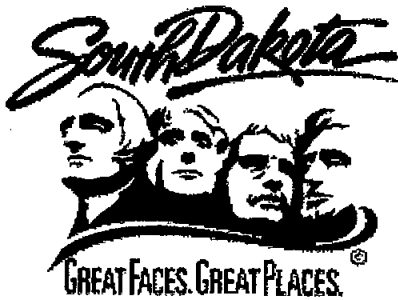
The ownership change has been completed. Water Right No. 656-3, formerly held by Clarence and Gladys Machmiller, is now listed in your name.

Enclosed for your records is Receipt No. 06872 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure



656-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: DALE MACHMILLER, 48554 252ND AVENUE, GARRETSON, SD 57030

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 28, 2016

656-3

Dale Machmiller
48554 252nd Ave
Garretson SD 57030

Dear Mr. Machmiller:

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

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 656-3. 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



656-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: DALE MACHMILLER, 48554 252ND AVENUE, GARRETSON, SD 57030

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 656-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Dale Machmiller, Garretson SD

DATE: February 6, 2019

RE: Ownership of land described in Water Right No. 656-3

In response to a "Notice" concerning the 2018 irrigation questionnaire, Mr. Machmiller called and indicated he sold the land last year to someone else. He knew they did not irrigate in 2018.

The new owner is:

Harold Goeden
Goeden Properties I, LLC
3501 S River Bluff Rd
Sioux Falls SD 57110

Mr. Machmiller was fairly certain the new owner did not intend to irrigate. I need to follow-up with the new owner to either have the water right transferred or have it scheduled for cancellation.



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

February 15, 2019

656-3

Harold Goeden
Goeden Properties I, LLC
3501 S River Bluff Rd
Sioux Falls SD 57110

Dear Mr. Goeden:

I am writing in regard to ownership of land described in Water Right No. 656-3 (copy enclosed). On February 6th our office was contacted by Dale Machmiller, the current owner of the water right, indicating he had sold the land to you last year.

If you intend to maintain the water right, it will need to be transferred to your name. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

In order to maintain a water right, water must be placed to beneficial use for the purpose it was appropriated at least once every three years. 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.

If you have no intent to irrigate the acreage, the water right can be scheduled for cancellation consideration. Prior to doing that, we would need either telephone confirmation from you or something in writing indicating you wish to relinquish the water right.

To recap, if you intend to maintain the water right, please complete and return the enclosed transfer of ownership form along with the required fee. If you do not wish to maintain the water right, please give me a call or send a letter indicating your intent. Thank you in advance for your help in updating 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

enclosures



515-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2018

515-3

Daniel Benson
45586 US Hwy 18
Hurley SD 57036 6009

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 515-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

c: Bruce Peterson

PAID

MAR 01 2019

Ck# 5233

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAR 01 2019

WATER RIGHTS
PROGRAMNo. 656-3Date: 2-26-19I/We request that Water Right No. 656-3formerly owned by: Dale Machmiller

be transferred to: (name & address) Goeden Properties I, LLC
3501 S. River Bluff Rd Sioux Falls SD 57110
Telephone No. 605 366-3139

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

80 acres - W 1/2 NE 1/4 Section 4, T102N, R49W

I/We understand that the validity of Water Right No. 656-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Harold Goeden
+ Kristine Goeden, the new owner, certify that the above information is true and correct.

Harold Goeden Kristine Goeden
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 1

28

RECEIVED OF Goeden Properties I, LLC 3501 S River Bluff Rd. Sioux Falls Sd 57110

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 <u>656-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **09050**

By Jeanne Goodman
Chief Engineer Jm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 4, 2019

656-3

Harold & Kristine Goeden
Goeden Properties I, LLC
3501 S River Bluff Rd
Sioux Falls SD 57110

Dear Mr. & Mrs. Goeden:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 656-3.

The ownership change has been completed. Water Right No. 656-3 formerly held by Dale Machmiller is now listed under Goeden Properties I, LLC.

For informational purposes, each year we mail out an irrigation questionnaire to irrigators in South Dakota to report water use. The forms are mailed out in October and are due back here by December 1st.

Enclosed for your records is Receipt No. 09050 in the amount of \$50. If you have any questions concerning the water right, please let me know.

Sincerely,

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

enclosure