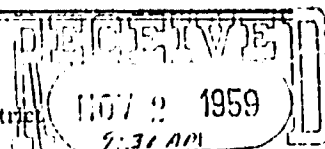


1. Considered 1-26, 1960 Appl. No. 669-3
2. Name of Applicant J.E. & Katherine Krull
3. Post Office Address Waterdown
4. Amount of water claimed 2.0
5. Source of water supply Ground Water
6. Water to be used for irrigation
Acres to be irrigated 144.3
7. Water to be diverted and used in Codington County about
_____ miles _____ of _____.
8. Proof of Publication Received ☒
Not Received _____
9. Application Approved ☒
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 664-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COM.
 S.D. 50001 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 J. E. and Katherine Krull
 Postoffice address Watertown, County Codington, 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)

Contract

(b) Cash on hand, \$ Adequate to carry out project. (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Krull No. 1

3. Amount of water claimed 2.0 cubic feet per second

4. Source of water supply 2 wells

5. Location of point of diversion 730 feet S. 68° W. and 1960 feet S. 82° W. from NE corner of
Sec 12, T 116 N, R 53 W
 _____ on _____ bank Codington County.

6. Annual period or periods during which water is to be used April 1 through Nov. 1

7. To be used for:

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

(a) Number of acres to be irrigated 144.3 acres.

(b) Legal subdivisions to be irrigated NE 1/4, Sec 12, T 116 N, R 53 W

(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.) None

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

(a) Nature of use None
 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 NE 512-3

Form 2A — Wells (Supplement to Form 2)

Well No. 1

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32" , Depth 40'

Type of casing steel
(wood, concrete, steel, etc.)

Size of casing 20" , Thickness of casing 1/4 ga.

Length of casing 40' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen Dempster

Size of perforated screen 20" , 15'
(diameter) (length)

Thickness of gravel pack 6" , length of gravel pack 40'

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials

..... Coarse silty sand and gravel

Thickness of water bearing material 28'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Western Land Roller , size 6"

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 20 , Name of Motor U.S.

(e) Complete well

Capacity 450 gpm at drawdown of 20' Estimated cost \$500

(f) Owner of land upon which well is located J. E. and Katherine Krull
Name

..... Watertown, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 80 rods. On property owned by others 40 rods

Form 2A — Wells (Supplement to Form 2)

Well No. 2

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32" , Depth 40'

Type of casing steel
(wood, concrete, steel, etc.)

Size of casing 20" , Thickness of casing 14 ga.

Length of casing 40' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen Dempster

Size of perforated screen 20" , 15'
(diameter) (length)

Thickness of gravel pack 6" , length of gravel pack 40'

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials

..... Coarse silty sand and gravel

Thickness of water bearing material 28'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Western Land Roller , size 6"

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 20 , Name of Motor U.S.

(e) Complete well

Capacity 450 gpm at drawdown of 20' Estimated cost \$500

(f) Owner of land upon which well is located J. E. and Katherine Krull
Name:

..... Watertown, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 80 rods. On property owned by others 60 rods

8. Estimated cost of work:

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

(c) Fluming, \$.....

(e) Other structures

Sprinkler Equip. and

(b) Pumping plant, \$8000.....

Rock, \$.....

Total, \$.....

9. Description of diversion works:

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

---Pumping Plant---

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 area at highwater mark.....acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-FOOT 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.....2.....years.

12. Choice of newspaper for publication of notice of intention to appropriate

Watertown Public Opinion

STATE OF SOUTH DAKOTA

} ss.

County of

I,, 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

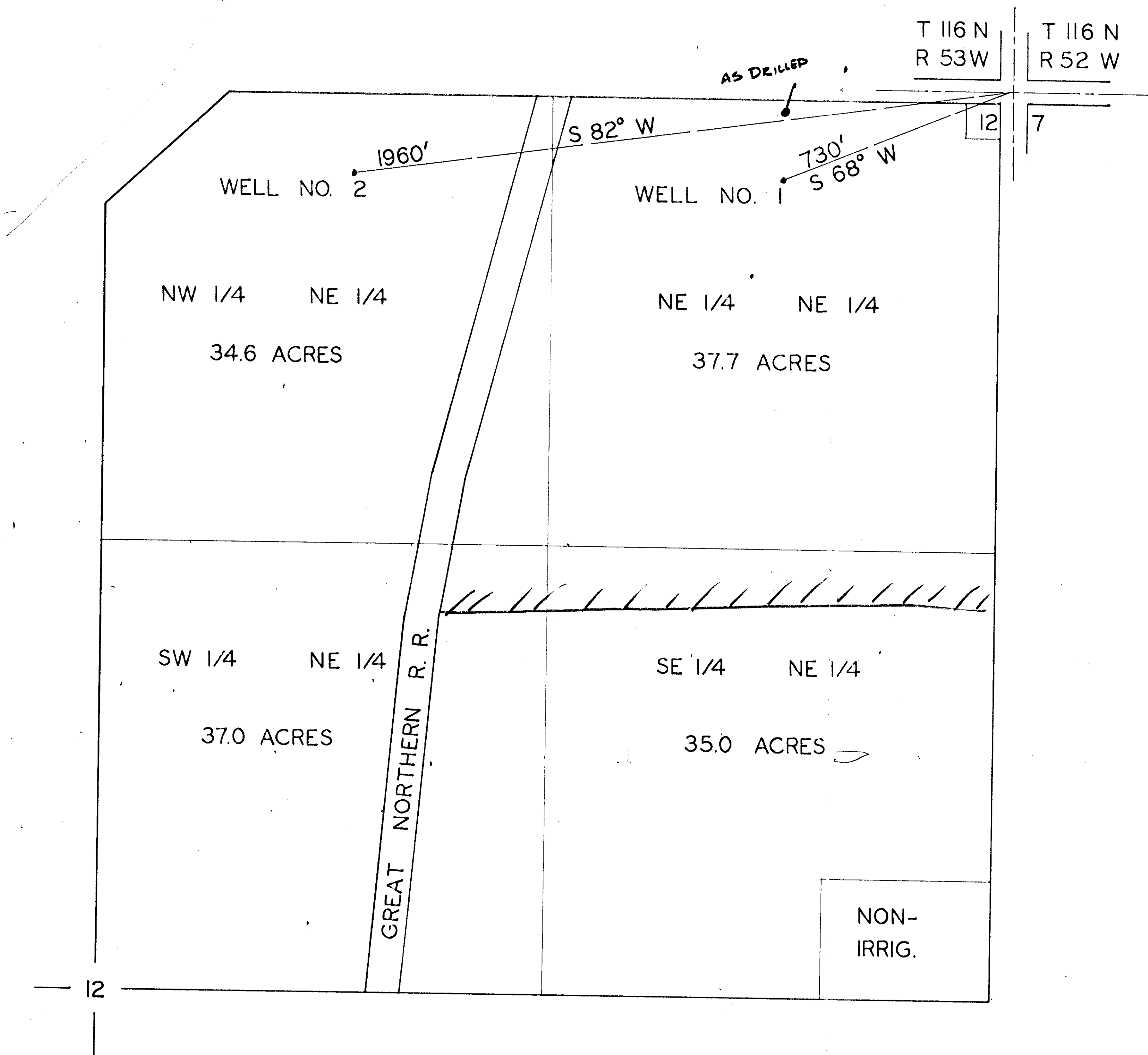
Signed

Subscribed and sworn to before me this 31 day of October 1919

William M. Jensen Sup. Ct. Clerk
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

KRULL IRRIGATION PROJECT NO. 1



LOCATION OF LAND TO BE IRRIGATED
ALL IN SEC. 12 T 116 N R 53 W
NE 1/4

J. E. AND KATHERINE KRULL, OWNERS

AREA		ACRES
NW 1/4	NE 1/4	34.6
NE 1/4	NE 1/4	37.7
SW 1/4	NE 1/4	37.0
SE 1/4	NE 1/4	35.0
TOTAL		144.3

75 LENGTHS 5" - 30'
VERMEER 140 BOOM
FAIRBANKS MOOSE 6"
POWERED BY F.M. ELEC 30 HP
53 ACRES
400 G.P.M.

NOTE: ALL LAND TO BE IRRIGATED
WITH PORTABLE MAINLINE.

SCALE: 1" = 200'

Certified correct: Martin M. Fogel
Martin M. Fogel
Extension Irrigation Specialist
South Dakota State College
Brookings, South Dakota

Subscribed and sworn to before me
this 29th day of October 1957

General Council
Notary Public
Map No 512-3
(Appl. No 669-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, January 28, 1960

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock
A m. upon the 2nd day of November, 1959

State Water Resources Commission

By: Robert J. Quinn

Chief Engineer, Executive Officer

Number of permit 669-3

Date of first receipt of application November 2, 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 November 2, 1959

Approved January 26, 1960, Recorded in Book 5 Page 301

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 July 26, 1962

2nd. The whole of said work is to be completed on or before January 26, 1965

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is January 26, 1967

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 2.0 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 January 26, 1967; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 28th day of January, 1960

State Water Resources Commission

By: Robert J. Quinn

Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 8, 1973

Water License Issued JUNE 8, 1973

Form 15.

Permit No. 669-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That J. E. and Katherine Krull

_____ the holder _____ of
Permit No. 669-3, issued upon Application No. 669-3, bearing date of priority of November 2,
1959 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
ground water County of Codington, State of South Dakota at _____
a point 680 feet West and 40 feet South of the NE Corner, Section 12,
T116N, R33W
_____, for irrigation

purposes, ha^{ve} 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 .88 cu. ft. per second of water.

Date June 6, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 669-3

(1) WHEREAS, On the 2nd day of November A. D. 19 59

J. E. and Katherine Krull

made Water Right Application No. 669-3 for a permit to use 2.0 cubic feet per second of the waters of ground water

County of Codington State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 28th day of January A. D. 19 60

Permit No. 669-3 with a date of priority of November 2, 1959

was issued to said applicant a for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 26th day of January A. D. 19 65 and for the application to beneficial use of said water on or before the 26th day of January A. D. 19 67

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .75 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 12, T116N, R53W

	Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.3
NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.7
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.0
Total	53.0 Acres

(5) 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 J. E. and Katherine Krull

_____ of Watertown, S.D.

the holder S and owner S of said permit No. 669-3 a water right, dating from November 2, 1959

_____ to use of .75 cubic feet per second of the waters of ground water

in the County of Codington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 680 feet West and 40 feet South of the NE Corner, Section 12, T116N, R53W

and conduct to and upon portions of Section 12, T116N, R53W, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 669-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 8th day of June A. D.
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

(First Publication on or before January 1, 1960)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 7, 1959

Notice is hereby given that J. N. and Katherine Krull whose postoffice address is Watertown 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 2.0 cubic feet of water per second of time from the ground water through the Krull #1 and hand-dug stream the point of diversion of which ^{are} ⁱⁿ is to be located on the NE 1/4 NE 1/4 Sec 12 in the NW 1/4 1/4 of the N 1/2 1/4 of Section 12 Twp. 116N Range 53W. Said water to be used for the purpose of providing irrigation on ^{a portion of} the following described land:

NE 1/4 Section 12 T 116N R 53Wand for irrigation purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 25th day of January, 1960, at 2 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.

cc: Kenneth B. Way—Manager
Public Opinion
Watertown, South Dakota

State Water Resources Commission

By:

~~Chief Engineer~~ Executive Officer
Burton F. Jones,
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Codington } ss.

Kenneth B. May being duly sworn, depose: and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Watertown Public Opinion a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the

City _____ of Watertown County of Codington and State of South Dakota; that the said notice was published in said newspaper on the following dates:

December 10, 1959

December 17, 1959

December 24, 1959

December 31, 1959

in each and every issue of the full number thereof, the first publication being made on the 10th day of December

19 59 and the last publication on the 31st. day of

December 19 59., upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was General Mbr. the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 31st day of December A. D. 19 59

Notary Public _____ County, S. D.
 My Commission Expires _____ 1965

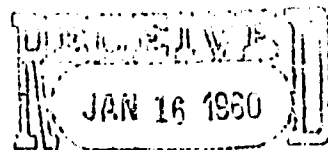
LEGAL NOTICE

APPROPRIATION OF WATER
 Office of State Water
 Resources Commission

Pierre, S. Dak., Dec. 7, 1959
 Notice is hereby given that J. E. and Kathrine Krull whose post-office address is Watertown, 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 2.0 cubic feet of water per second of time from ground water through the Krull No. 1, the points of diversion of which are to be located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 12 Twp. 116N Range 53W. Said water to be used for the purpose of providing irrigation on a portion of the following described land:
 NE $\frac{1}{4}$ Section 12 T 116N R 53W.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of January, 1960, at 2 P. M. All interested persons may appear and be heard.

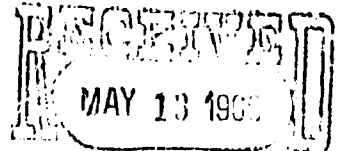
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources
 Commission
 By: Burton F. Jones,
 Water Rights Specialist
 (Dec. 10-17-24-31, 1959)



STATE WATER RESOURCES COMMISSION
 45743 SOUTH DAKOTA

Watertown, South Dakota
May 11, 1960



STATE WATER RESOURCES COM.
SIOUX FALLS, S.D.

Water Resources Commission
State Capitol Bldg.
Pierre, South Dakota

Gentlemen:

As a part of our purchase of the Southwest Quarter of Section Twelve (12), and the Northeast Quarter and the North Half of the Southeast Quarter of Section Twelve (12), in Township One Hundred Sixteen (116) North, Range Fifty-three (53), West of the 5th P.M., in Codington County, South Dakota, from J.E. Krull, also known as Jacob E. Krull and Katherine Krull, husband and wife, we were given an Assignment of Water Permit No. 669-3 issued by the South Dakota Water Resources Commission on the 28th day of January, 1960. It is our understanding now that there is an unauthorized well within the drawing area of our well belonging to Hill Packing Company. We would appreciate and do request an investigation of the Hill Packing Company well at your earliest convenience. It is our contention that it will affect the pumping capacity of our well used for irrigation purposes, and it is our request that notice be given Hill Packing Company to discontinue the use of their well at any time we request if it affects our operations. Thank you.

Very truly yours,

Lake City Dairy Farm, Inc.

Marvin Schwanke

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 669-3 Approval Date Jan 26, 1960

This Permit authorized the diversion of 2.0 cubic feet
per second of water from 2 wells to irrigate

144.3 acres in Section 12, Township 116N,
Range 5342, County Codington.

Name and Address shown on Permit J. E. Krull
R.R. 3, Watertown S. Dak.

Name and Address of present owner of land Lake City Dairy Farm Inc.
R.R. 3 - Watertown S. Dak.

WATER PERMITS NOT CONSTRUCTED WITHIN THE FIVE YEAR PERIOD ARE
SUBJECT TO CANCELLATION BY ACTION OF THE WATER RESOURCES COMMISSION

Indicate the following:

1. The irrigation system was never started nor was not completed.
The present landowner has been informed that cancellation of
Water Permit No. _____ will be considered by the Water
Resources Commission and he will be notified of the date, time
and place of such consideration. _____
2. Some questions exists and further consideration is advisable.

6. The irrigation system was completed within the five year period
and is being used. A final inspection should be scheduled.

REMARKS: Land was sold - gave Present owners a transfer.
Notice will mail - Project is used - ready for
inspection

Date 7-10-69

Signature Wm A. Elliott Jr.

FERD TIESCH

MARVIN SWANKE

Permit No. 669-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by LAKE CITY DAIRY FARM, INC. of WATERTOWN holder _____
 of Permit No. 669.3, bearing date of priority of NOVEMBER 2, 1959
 authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUND WATER
 for IRRIGATION purposes, in CODINGTON County.

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

The Water Use System consists of,

A. Works used to divert the water:

40' DEEP WELL - 20" STEEL CASING
FAIRBANKS-MORSE 6" PUMP POWERED BY
FAIRBANKS-MORSE 30 H.P. ELECTRIC MOTOR

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

2250' OF 5" MAINLINE

C. Works used to apply water to beneficial use.

VERMEER #140 BOOMThe system is in the following condition: GOOD

The point of diversion is located 680' W & 40' S OF THE NE CORNER,
SECTION 12, T116N, R53W

The works are capable of diverting and conveying to the place of use .88cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 12, T116N, R53W

<u>NW¹ NE¹</u>	<u>5.3</u>	<u>ACRES</u>
<u>NE¹ NE¹</u>	<u>37.7</u>	<u>"</u>
<u>SW¹ NE¹</u>	<u>3.0</u>	<u>"</u>
<u>SE¹ NE¹</u>	<u>3.0</u>	<u>"</u>

comprising a total of 53 acres of land.Date JUNE 22 1970

Burton Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION



Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181
July 17, 1985

Department of Water & Natural Resources

Water Rights Division
605 773-3352

722-3B
669-3
4226-3

Ferdy Tesch
RR 3, Box 161
Watertown SD 57201

Dear Mr. Tesch:

In response to your telephone conversation with Jim Winterton, July 11, 1985, I am enclosing copies of the notices sent on October 17, 1984, April 15, 1985 and June 12, 1985. The letter dated October 17, 1985 explains that the Water Management Board's Rules require the irrigation questionnaire(s) to be submitted each year and that the questionnaire(s) were to be returned by November 26, 1985.

Since no response was received, April 15, 1985 a Notice was sent regarding the hearing before the Water Management Board to consider amending Water Right No. 722-3B, 4226-3, and 669-3. Due to a mistake by us No. 4226-3 and 669-3 were not included on the agenda list and not considered for amendment. If the questionnaires would have been received prior to the hearing date, No. 722-3B would have been removed from the agenda list. We did not receive the questionnaires until May 20, 1985. However, No. 722-3B was considered by the board and amended as stated on the June 12, 1985 "Notice of Amendment to Water Permits".

The reason the Water Management Board requires Irrigation Questionnaire returns is because the data is used to determine actual water use from an aquifer or stream. This provides us with water use data which allows the Water Management Board to determine if additional water permits can be approved. In addition, the questionnaire provides documentation for establishing a record of water use which provides you protection against claims of forfeiture of the water right for nonuse.

If you have any further questions, please do not hesitate to contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:JW:ks
enclosures

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 23, 1987

LAKE CITY DAIRY FARM, Ferdy Tesch
RR #3, Box 161
WATERTOWN, SD 57201

NOTICE

Re: Violation of Water Permit No(s). 4226-3, 669-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 4226-3, 669-3. 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 permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4226-3, 669-3 qualification:

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

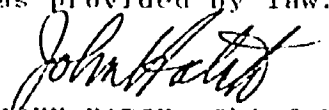
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 4226-3, 669-3 until either the 1986 Questionnaire is submitted or for a period of up to one 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, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 13, 1987

669-3
4226-3

Lake City Dairy Farm
%Ferdy Tesch
RR 3 Box 161
Watertown, SD 57201

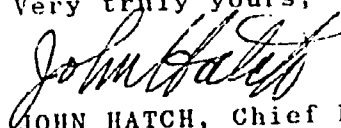
Dear Mr. Tesch:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 669-3 and 4226-3 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 HATCH, Chief Engineer
Water Rights Division
605 773-3352



Department of Water & Natural Resources

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

January 29, 1988

F TESCH- LAKE CITY DAIRY FARM
RR #3 BOX 161
WATERTOWN, SD 57201

NOTICE

Re: Violation of Water Permit No(s). 4226-3, (669-3)

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 4226-3, 669-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4226-3, 669-3 qualification:

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

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 4226-3, 669-3 until either the 1987 Questionnaire is submitted or for a period of up to one 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 March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

February 29, 1988

669-3
4226-3

Lake City Dairy Farm
F Tesch
RR 3, Box 161
Watertown SD 57201

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 669-3, 4226-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

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

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



Department of Water & Natural Resources

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

February 8, 1989

F TESCH- LAKE CITY DAIRY FARM
RR #3 BOX 161
WATERTOWN, SD 57201

NOTICE

RE: Violation of Water Permit No(s). 4226-3, 669-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4226-3, 669-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4226-3, 669-3 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Suspend Permit No(s). 4226-3, 669-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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





Department of Water & Natural Resources

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

March 7, 1989

669-3
722-3B
4226-3

Ferdy Tesch
Lake City Dairy Farm
RR #1 Box 161
Watertown, SD 57201

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 669-3, 722-3B, and 4226-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

FERDY TESCH
LAKE CITY DAIRY FARM
RR 3 BOX 161
WATERTOWN, SD 57201

NOTICE

RE: Violation of Water Permit No(s). 4226-3, 669-3

Our records indicate that the 1939 Irrigation Questionnaire has not been submitted for Permit No(s). 4226-3, 669-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4226-3, 669-3 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, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City 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 1-25. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4226-3, 669-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



Department of Water & Natural Resources

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

February 28, 1990

669-3
722-3B
4226-3

F Tesch
Lake City Dairy Farm
RR 3, Box 161
Watertown SD 57201

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 669-3, 722-3B and 4226-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall/ks

RON DUVALL
Natural Resources Engineer
Water Rights Division

669-3

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

GREAT FACES. GREAT PLACES.

February 1, 1991

F TESCH- LAKE CITY DAIRY FARM
RR 3 BOX 161
WATERTOWN SD 57201

669-3

NOTICE

RE: Violation of Water Permit No(s) 669-3, 4226-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 669-3, 4226-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 669-3, 4226-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

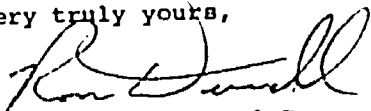
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 669-3, 4226-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: Ferdy Tesch RR 3 Box 161 Watertown 57201	4. Article Number P694 057 532 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X <i>Ferdy Tesch</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X	
7. Date of Delivery 02-02-1991	

SOUTH DAKOTA Department of
Water & Natural Resources

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

669-3

March 5, 1991

669-3
722-3B
4226-3

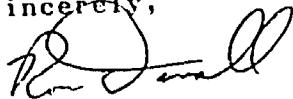
Ferdy Tesch
Lake City Dairy Farm
RR #3 Box 161
Watertown, SD 57201

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and chemical use data for Water Permit Nos. 669-3, 722-3B and 4226-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. The questionnaires were postmarked the day of the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division



669-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

F TESCH- LAKE CITY DAIRY FARM
RR 3 BOX 161
WATERTOWN SD 57201

NOTICE

RE: Violation of Water Permit No(s) 669-3 & 4226-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 669-3 & 4226-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 669-3 & 4226-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 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) 669-3 & 4226-3 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 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 1992

669-3
722-3B
4226-3

Ferdy Tesch
Lake City Dairy Farm
RR #3 Box 161
Watertown, SD 57201

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 669-3, 722-3B and 4226-3. You may disregard the January 27, 1992, Notice of Failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

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

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

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

Consult pc. master for fee.

3. Article Addressed to:

F Tesch
Lake City Dairy Farm
RR 3, Box 161
Watertown SD 57201

4a. Article Number

P757 866 232

4b. Service Type

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

7. Date of Delivery

1-29-1992

5. Signature (Addressee)

6. Signature (Agent)

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



469-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 24 1992

4226-3

Ferdy Tesch
Lake City Dairy Farm
RR 3, Box 161
Watertown, SD 57201

Dear Mr. Tesch:

Enclosed is Water License No. 4226-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413150 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4226-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Right No. 669-3 has been incorporated into this Water License No. 4226-3.