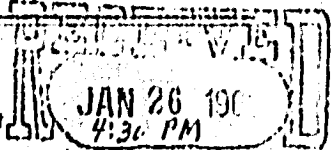


- 7603
1. Considered 3-15, 1961
 2. Name of Applicant Don Mathews
 3. Post Office Address Libby
 4. Amount of water claimed 2.5
 5. Source of water supply ground water (dugout)
 6. Water to be used for irrigation
Acres to be irrigated 176.21
 7. Water to be diverted and used in Don County about
25 miles 2E of Libby.
 8. Proof of Publication Received ☒
Not Received ☐
 9. Application Approved ☒
Subject to Note
Not approved ☐
Action deferred ☐

10. Remarks:

Mr. Olson

No. 760-3Water Division No. 3 JAMES RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES BOARD
STATE OF SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriato Water within the State of South Dakota

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

1. Name of applicant Joe MatthewsPostoffice address LilyCounty MayState 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)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work MATTHEWS #13. Amount of water claimed 2.5cubic feet per second per 176 acres4. Source of water supply dugout (ground water)5. Location of point of diversion N 92°30' W 150 rodsand N 34°30' W 45 rods from theSE Corner Sec 35 T170N R 57W

on

bank

May

County

6. Annual period or periods during which water is to be used May to Sept.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? overhead sprinkler(a) Number of acres to be irrigated 176.2 acres.See attachment(b) Legal subdivisions to be irrigated see attachment

(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.) to be used forgrowing irrigated crops

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 568-3

8. -Estimated cost of work:—

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- 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 area 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 -----Reporter and Farmer, Webster, S. Dak.-----

STATE OF SOUTH DAKOTA

County of ----- } ss.

I, Geo. M. McKee, 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 Geo. M. McKee

Subscribed and sworn to before me this 3.5 day of July 1964

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

The dugouts are located near domestic wells which may obtain water from the same aquifer. If the water covered by this Permit to appropriate water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements may be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, March 18, 1961

This is to certify that the foregoing application was received by the Commission at 4:30 o'clock p.m. upon the 26th day of JANUARY, 1961.

State Water Resources Commission

By: [Signature]
for Chief Engineer, Executive Officer

Number of permit 760-3

Date of first receipt of application JANUARY 26, 1961

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 JANUARY 26, 1961

Approved MARCH 15, 1961, Recorded in Book 6 Page 204

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 September 15, 1963.

2nd. The whole of said work is to be completed on or before MARCH 15, 1966

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

MARCH 15, 1966
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 2.5 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 MARCH 15, 1966; said water to be used during the following described annual period:

MAY to September, inclusive
18th day of MARCH, 1961

Witness my hand this

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued April 3, 1963

Water License Issued April 3, 1963

LANDS TO BE IRRIGATED

	<u>Location</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Acres</u>
Area 1	NW $\frac{1}{4}$ SW $\frac{1}{2}$	35	120N	57W	39.0
Area 2	NE $\frac{1}{4}$ SW $\frac{1}{2}$	35	120N	57W	35.1
Area 3	NW $\frac{1}{4}$ SE $\frac{1}{4}$	35	120N	57W	11.0
Area 4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	35	120N	57W	30.0
Area 5	SW $\frac{1}{4}$ SW $\frac{1}{2}$	35	120N	57W	31.5
Area 6	SE $\frac{1}{4}$ SW $\frac{1}{4}$	35	120N	57W	27.2
Area 7	SE $\frac{1}{4}$ SE $\frac{1}{4}$	35	120N	57W	2.4
					176.2

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

145.6' x 67.5' Top dimensions
9' x 2.5' Bottom "

(a) Hole and casing

Size of drill hole or excavation ^{Dugout} 2105 cu yds., Depth 14.4'

Type of casing None
(wood, concrete, steel, etc.)

Size of casing _____, Thickness of casing _____

Length of casing _____ If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen _____

Size of perforated screen _____ (diameter) _____ (length)

Thickness of gravel pack _____, length of gravel pack _____

(c) Water Bearing Materials

Distance to water 0.8' Character of water bearing materials
Coarse Sands & Gravels

Thickness of water bearing material Unknown over 15' deep

(d) Pump and Motor

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

Name of pump Berkeley Tractor-Pump Model B 33 B M, size _____

Kind of motor AT form tractor, can use different tractors
(gasoline, electric, diesel, etc.)

Horsepower 30, Name of Motor International Harvester

(e) Complete well ^{dugout}

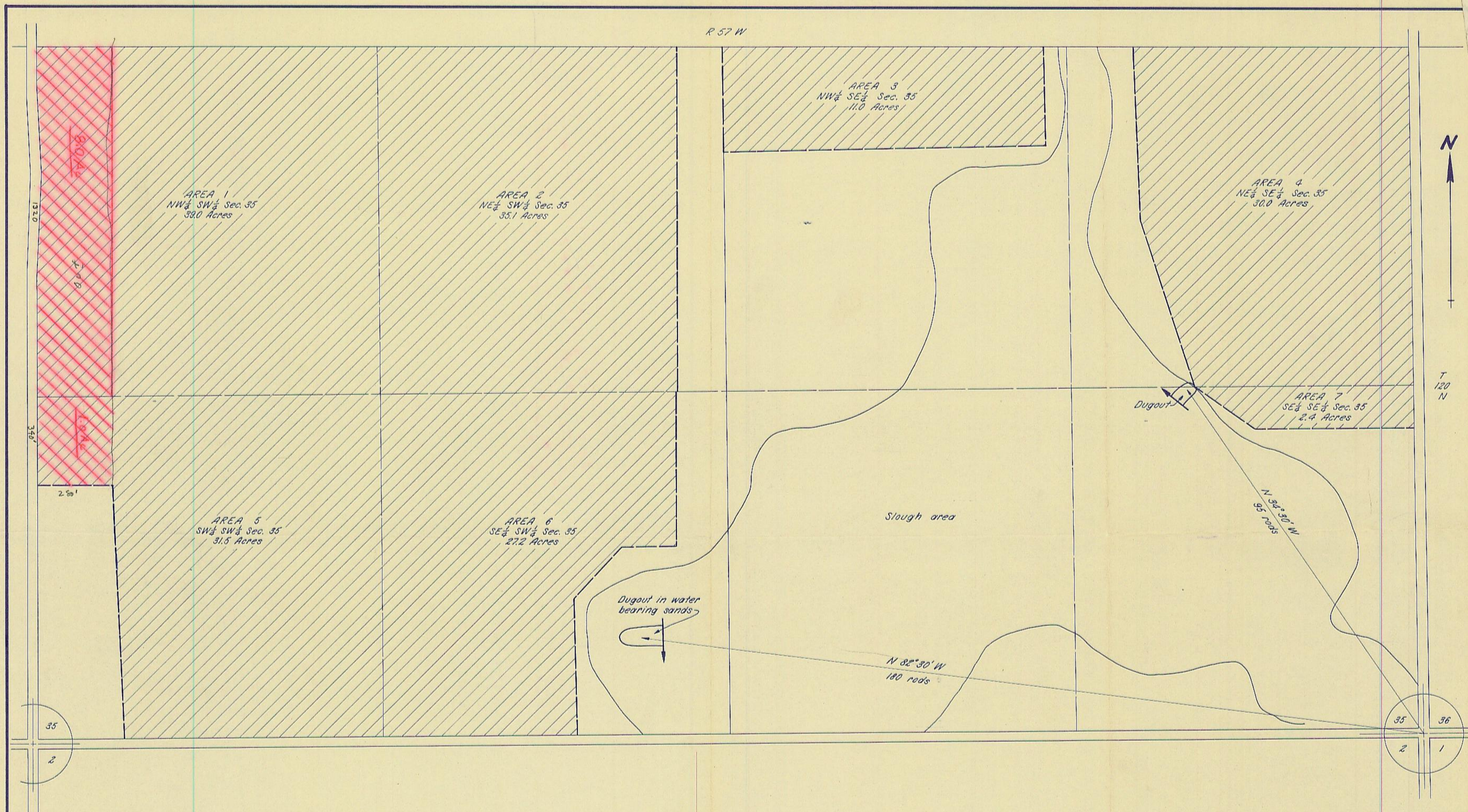
Capacity 300 at drawdown of 1.0' Estimated cost \$442.05

(f) Owner of land upon which well is located ^{dugout} Shy Mathews
Name

Lily P. S.
Address

(g) Distance to nearest existing wells

On same owner's property 70 rods. On property owned by others 165 rods



SURVEYOR'S CERTIFICATE

I, LeRoy J. Mernaugh DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE JOE MATTHEWS WATER RIGHTS MAP AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE Day SOIL CONSERVATION DISTRICT.

SIGNATURE: LeRoy J. Mernaugh
TITLE: AGRI. ENGINEER

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF January, 1961, A.D.

Clara B. Ornes
NOTARY PUBLIC

MY COMMISSION EXPIRES 2-25, 1961.

All lands described are owned by Joe Matthews

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW 1/4 SW 1/4	35	120N	57W	39.0
2	NE 1/4 SW 1/4	35	120N	57W	35.1
3	NW 1/4 SE 1/4	35	120N	57W	11.0
4	NE 1/4 SE 1/4	35	120N	57W	30.0
5	SW 1/4 SW 1/4	35	120N	57W	31.5
6	SE 1/4 SW 1/4	35	120N	57W	27.2
7	SE 1/4 SE 1/4	35	120N	57W	2.4
TOTAL					176.2

Land to be irrigated

Scale: 1" = 200'

JOE MATTHEWS WATER RIGHTS MAP

Day County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed.....	Date.....	Approved by.....
Drawn.....		Title.....
Traced.....		Title.....
Checked.....	12-60	Sheet No. 1 of 1

MAP NO 568-3 (APP. 760-3)

STATE OF SOUTH DAKOTA

WATER LICENSE No. 760-3. . . .

WHEREAS, On the 26th day of January A. D. 1961

Joe Matthews

of Lily County of Day and State of

South Dakota duly made application (No. 760-3) to us for a permit to use 2.5

cubic feet per second of the waters of ground water

County of Day, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 18th day of March A. D. 1961

Permit No. 760-3 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 15th day of

March A. D. 1966 and for the application to beneficial use of said water on or before the 15th day of March A. D. 1966 and,

WHEREAS, On the 18th day of March A. D. 1963

the holder... of said permit duly made proof of the completion of adequate works for the diversion of 2.0

cubic feet per second of said waters, as evidenced by our Certificate No. 760-3

dated April 3, 1963 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.0 cubic feet per second of water, with date of priority of January 26, 1961 ~~xxx~~ and,

WHEREAS, On the 18th day of March A. D. 1963

proof was duly made of the application to beneficial use of 2.0 cubic feet per second of said water;

for irrigating 167.2 acres in Section 35, T.120N, R.57W.

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 Jon Matthews
 of Lily the holder and owner of said permit No. 760-3
 a water right, dating from January 28, 1961 to the use of 2.0
 cubic feet per second of the waters of ground water
 in the County of Day and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinafter mentioned, to be diverted at Points N 82° W 180 Rods and
N 34° 30' W 95 rods from the SE corner Section 35, T 12N, R 57W
 and conducted to and upon 167.2 acres in the S½ Section 35, T 12N, R 57W, more
specifically described in the Certificate of Completion of Works.
 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 3rd day of April A. D. Nineteen
Hundred and Sixty-Three.

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. 762-3Water Division No. 3 JAMES RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Joe Matthews

of Lily, County of Day, and State of South Dakota, the holder of Permit No. 762-3, issued upon Application No. 762-3, bearing date of priority of January 26, 1961, authorizing the diversion of 2.5 cu. ft. per second of the waters of ground water County of Day, State of South Dakota, at points N 82° W 180 rods and N 34° 39' W 95 rods from the SE corner, Sec. 35, T 120N, R 57W. for irrigation

purposes, has 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 2.0 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: All in Section 35, T 120N, R 57W.

NW 1/4 SE 1/4 11.0 acresNE 1/4 SE 1/4 30.0 acresSE 1/4 SE 1/4 2.4 acresNW 1/4 SW 1/4 31.0 acresNE 1/4 SW 1/4 35.1 acresSW 1/4 SW 1/4 30.5 acresSE 1/4 SW 1/4 27.2 acresTotal 167.2 acresWitness my hand this 3rd day of April A. D. 19 63

State Water Resources Commission

By:

J.W. ORLES, Chief Engineer, Executive Officer

on or before
First Publication February 17, 1961

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 31, 1961

Notice is hereby given that Joe Matthews whose postoffice address is Lily 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 2.5 cubic feet of water per second of time from ground water through the Matthews #1 are the point of diversion of which is to be located in the SE 1/4 and in the SE 1/4 of the SE 1/4 of Section 35 portions of Twp. 120 N Range 57 W. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4, NW 1/4 SE 1/4 and E 1/4 SE 1/4, Section 35, T 120 N, R 57 W

~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, 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:

cc Harold W. Card, Publisher
Reporter & Farmer
Webster, South Dakota

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County _____ Day _____ } ss.

Harold W. Card being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____
Reporter and Farmer 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 Webster County of Day and State of South Dakota; that the said notice was published in said newspaper on the following dates:

February 8, 1961
February 15, 1961
February 22, 1961
March 1, 1961

in each and every issue of the full number thereof, the first publication being made on the 8th day of February 1961 and the last publication on the 1st day of March 1961, 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 ~~publisher~~ publisher of the said newspaper.

Harold W. Card

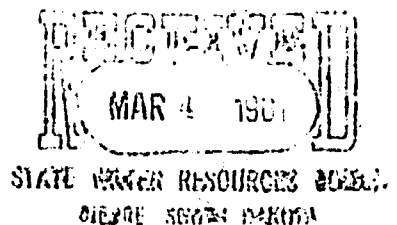
Subscribed and sworn to before me this 1st day of March A. D. 1961

Gus A. Herr

Notary Public Day County, S. D.

Gus A. Herr
 Notary Public, Day County, S. Dak.
 My Commission Expires July 19, 1963

(First Feb. 8)
 NOTICE OF INTENTION TO APPROPRIATE WATER
 Office of State Water Resources Commission, Pierre, S. Dak., January 31, 1961.
 Notice is hereby given that Joe Matthews, whose postoffice address is Lily, 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 2.5 cubic feet of water per second of time from ground water through the Matthews No. 1, the point of diversion of which are to be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33 Twp. 120 N Range 57 W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 120 N. R. 57 W.
 This application will then be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March 1961, 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: Burton F. Jones
 Water Rights Specialist
 (Last March 1)



Permit No. 760-3Water Division No. 3 James R. 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 Joe Matthews, of Lily Day County, South Dakota, holder of Permit No. 760-3, issued upon Application No. 760-3, bearing date of priority of January 26, 1961, authorizing the diversion of 2.5 cu. ft. per second of the waters of Two dugouts for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: A 5" by 7" Brady pump, mod. B32RN-CW 35 H.P. gasoline tractor, 2500 feet of 5" aluminum pipe, 1650 feet of 4" aluminum pipe, and 40 #30 Rainbird 7/8" sprinkler nozzles

and the system is in the following condition: Very Good

The point of diversion is located Exactly as shown on map No. 568-3

The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are:

As shown on map No. 568-3. Note that area shown cross-hatched in red, has not been irrigated.

comprising a total of 167.2 acres of land.

The domestic use intended comprises None

The utilization for power, mining, or other beneficial uses comprises: None

Witness my hand, this 18 day of Nov 6, A. D. 1963.

—SEAL—

Donald Russell

Examining Engineer.

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

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

1016-3
760-3
4186-3

February 17, 1989

Joe Matthews
RR 1, Box 42
Lily, SD 57250

Dear Mr. Matthews:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any question regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JOE MATTHEWS, RR #3 BOX 662, LILY, SD 57274

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) 1016-3, 760-3 & 4186-3. 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) 1016-3, 760-3 & 4186-3 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 ADDRESS completed on the reverse side?

SENDER:

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

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

- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

JOE MATTHEWS
RR #3 BOX 662
LILY SD 57274

4a. Article Number

2 348-318 872

4b. Service Type

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

7. Date of Delivery

11/31/96

5. Received By: (Print Name)

Mr. Nichols

6. Signature: (Addressee or Agent)

X *J. V. Boik*

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



760-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1996

760-3
1016-3
4186-3

Joe Matthews
RR 3 Box 662
Lily, SD 57274

Dear Mr. Matthews:

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

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 AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2024

760-3
1016-3
4186-3

Mike Matthews
42842 154th St
Lily SD 57274

Dear Mr. Matthews:

This letter is in response to the 2024 Irrigation Questionnaires you submitted for Water Right Nos. 760-3, 1016-3, 4186-3, and our brief telephone conversation regarding the needed change in ownership. For your convenience I have enclosed a partially completed "Notice of Transfer of Ownership" form for each water right.

Water Right No. 4186-3 is listed in the name of both yourself and your late father, while the other two are listed solely in his name. If you do not wish to transfer Water Right No. 4186-3 at this time, that would be acceptable since your name is listed on the license, however, filing a transfer now may avoid confusion in the future.

Please return the completed forms with a check for (\$50.00 per transfer) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

760-3
PAID

NOV 18 2024

Ck# 1403

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 760-3

Date: 11-16-2024

I/We request that Water Right/Permit No. 760-3 formerly owned by:

Joe Matthews - Lily SD

be transferred to:

New Owner Name: Mike Matthews

Address: 42842 154 St.

mobile: _____

City, State, Zip Webster, S.D. 57224

email: _____

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

Section 35, T120N, R52W	SE 1/4 SW 1/4 - 27.2 acra
	NW 1/4 SE 1/4 - 11 acres
TOTAL: 167.2 ACRES	NE 1/4 SE 1/4 - 30 acres
	SE 1/4 SE 1/4 - 2.4 acres
	NW 1/4 SW 1/4 - 31 acres
	NE 1/4 SW 1/4 - 35 acres
	SW 1/4 SW 1/4 - 30.5 acres

☒ I understand that the validity of Water Right/Permit No. 760-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Mike Matthews, the new owner, certify that the above information is true and correct.

Mike Matthews
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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

RECEIVED

NOV 18 2024

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date November 20TH, 2024

RECEIVED OF Matthews Inc C/O Mike Matthews 42842 154th St Webster SD 57274

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>#4186-3 #760-3 #1016-3</u>	<u>\$150.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$150.00</u>

By

Eric Gronlund
Chief Engineer

JK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 21, 2024

760-3
1016-3
4186-3

Mike Matthews
42842 154th St
Webster SD 57274

Dear Mr. Matthews:

I have received your "Notice of Transfer of Ownership" forms and the required fees for Water Right Nos. 760-3, 1016-3, and 4186-3. Enclosed is a receipt of payment for your records.

Water Right Nos. 760-3, 1016-3, and 4186-3, previously held by Joe Matthews are now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The validity of Water Right Nos. 760-3, 1016-3, and 4186-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure