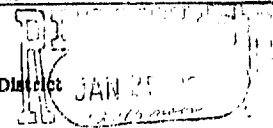


461-2

1. Considered 3-7, 1962
2. Name of Applicant Neal Walden
3. Post Office Address Hanford, Cal.
4. Amount of water claimed 4.45
5. Source of water supply Ground water
6. Water to be used for irrigation
Acres to be irrigated 320
7. Water to be diverted and used in Spokane County about
4 W miles of Douglas.
8. Proof of Publication Received 1st
Not Received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:

A

No. 961-3
 Water Division No. 3 JAMES RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



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

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

1. Name of applicant Freeland Farms
P.O. Box 8141 Doland, SD 57436
 Postoffice address _____, State KANSAS

- 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 (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work _____
3. Amount of water claimed 4.45 cubic feet per second _____
4. Source of water supply Well
5. Location of point of diversion See attached map
 _____ on _____ bank _____ County.
6. Annual period or periods during which water is to be used April 1 - Nov 1
7. To be used for:

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

- (a) Number of acres to be irrigated 320 acres.
- (b) Legal subdivisions to be irrigated N¹ 32-117-61, Spink County, So. Dak.

(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 N° 612-3

8. Estimated cost of work:

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

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

(e) Other structures ----- \$-----

(d) Canal-earth, \$-----

(b) Pumping plant, \$8,000.00

Rock \$4,000.00

Total, \$12,000.00

Estimate:

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
At ----- Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 3 ----- 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 -----
REDFIELD PRESS, REDFIELD, S.D.

STATE OF SOUTH DAKOTA

County of Spink ss.

I, Neal Waldron, 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: Neal Waldron

Subscribed and sworn to before me this 24th day of January, 1962

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Notary Public
Notary Public
Notary Public

8. Estimated cost of work:

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

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

(e) Other structures -----

(d) Canal-earth, \$-----

(b) Pumping plant, \$2,000.00

Rock, \$4,000.00

Total, \$12,000.00

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 bot'om ----- 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-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 ----- 3 ----- 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 -----

REDFIELD PRESS, REDFIELD, S.D.

STATE OF SOUTH DAKOTA

County of Spink

I, Neal Waldron

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 Neal Waldron

Subscribed and sworn to before me this 24th day of January 1962

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32 inches , Depth 80 feet

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

Size of casing 16 inches , Thickness of casing $\frac{1}{4}$ inches

Length of casing 90 feet If collection gallery, length, size and depth of
gallery -----

(b) Screens

Type of perforated screen Johnson Irrigator

Size of perforated screen 16 inches 10 feet
(diameter) (length)

Thickness of gravel pack 8 inches , length of gravel pack 100 feet

(c) Water Bearing Materials

Distance to water 16 feet Character of water bearing materials coarse
gravel, sand and lignite

Thickness of water bearing material -----

(d) Pump and Motor

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

Name of pump Western Land Roller , size 8 inches

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

Horsepower 30 H.P. , Name of Motor U. S. Motor

(e) Complete well

Capacity ----- at drawdown of ----- . Estimated cost \$6,000.00

(f) Owner of land upon which well is located ----- ,
Name

Address

(g) Distance to nearest existing wells

On same owner's property 80 rods. On property owned by others 160 rods

Remarks by State Water Resources Commission:

The wells granted under this permit are located near domestic wells and other irrigation wells which may obtain water from the same aquifer. If the wells covered by this permit deplete the domestic supplies or interfere with prior ~~water~~ rights, restrictions, to the extent necessary, of the capacity of these wells or periods of operation or other arrangements may be required to protect these water supplies.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 13, 1967

This is to certify that the foregoing application was received by the Commission at 12:45 o'clock
P.m. upon the 25TH day of JANUARY, 1967

State Water Resources Commission
By: [Signature]
for Chief Engineer, Executive Officer

Number of permit 961-3

Date of first receipt of application JANUARY 25, 1967

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 25, 1967

Approved MARCH 7, 1967, Recorded in Book 7 Page 73

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 7, 1963

2nd. The whole of said work is to be completed on or before MARCH 7, 1965

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

MARCH 7, 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 4.45 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 7, 1967; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1

Witness my hand this 13TH day of MARCH, 1967

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction issued AUGUST 19, 1968

Water License issued AUGUST 19, 1968

Permit No. 961-3Water Division No. 3 JAMES RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That A.B. Hudson

of Prairie View, County of Johnson, and State of Kansas, the holder of Permit No. 961-3, issued upon Application No. 961-3, bearing date of priority of January 25, 1962, authorizing the diversion of 4.45 cu. ft. per second of the waters of ground water

County of Spink, State of South Dakota, at Well #1, 1320' N & 1320' E of the W $\frac{1}{2}$ Corner, Well #2, S 20°E, 1440' from the N $\frac{1}{2}$ Corner, Section 32, T117N, R61W, 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 4.8 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: N $\frac{1}{2}$ Section 32; T117N, R61W

Witness my hand this 19th day of August A. D. 19 68

State Water Resources Commission

By:

J.W. GRINES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 961-3

WHEREAS, On the 25th day of January A. D. 1962
Neal Waldron
 of Hartford County of Madison and State of
Illinois duly made application (No. 961-3) to us for a permit to use 4.45
 cubic feet per second of the waters of ground water
 County of Spink, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 13th day of March A. D. 1962
 Permit No. 961-3 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
March A. D. 1965 and for the application to beneficial use of said
 water on or before the 7th day of March A. D. 1967
 and, **whereas, on the 30th day of July, 1968, the permit was transferred to**
A.B. Haddon

WHEREAS, On the 17th day of October A. D. 1967
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 4.8
 cubic feet per second of said waters, as evidenced by our Certificate No. 961-3
 dated August 19, 1968 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 4.8 cubic feet per second of water, with date of
 priority of January 25, 1962 ~~1964~~ and,

WHEREAS, On the 17th day of October A. D. 1967
 proof was duly made of the application to beneficial use of 4.45 cubic feet per second of said water;
for irrigating 320 acres in the N $\frac{1}{2}$, Section 32, T117N, R61W.

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 A.B. Hudson
of Prairie View, Kansas the holder and owner of said permit No. 961-3
a water right, dating from January 25, 1962 to the use of 4.45
cubic feet per second of the waters of ground water
in the County of Spink and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at Well #1, 1320' N & 1320' E of the
W $\frac{1}{2}$ Corner; Well #2, S 20° E, 1440' from the N $\frac{1}{2}$ Corner, Section 32, T117N,
T61W.
and conducted to and upon the N $\frac{1}{2}$, Section 32, T117N, R61W

for the purpose of irrigation, subject to any limitations listed in the

~~Permit-to-Appropriate Water, and~~

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 office at Pierre, South Dakota,
this 19th day of August A. D. Nineteen
Hundred and ~~Sixty-eight~~

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

on or before February 6, 1962
(First Publication February 6, 1962)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 25, 1962

Notice is hereby given, that Neal Waldron whose postoffice address is Hartford, Illinois ~~State~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.45 cubic feet of water per second of time from ~~the~~ ground water through ~~the~~ two wells ~~are~~ in the point of diversion of which ~~is~~ to be located on the SE 1/4 NW 1/4 and ~~in the~~ SW 1/4 of the NE 1/4 of Section 32 Twp. 117N Range 61E. Said water to be used for the purpose of providing irrigation on the following described land:

N 1/2, Sec. 32, T117N, R61W

~~and~~

~~purpose~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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:

~~Chief Engineer, State Water Resources Commission~~
DURTON F. JONES
Water Right Specialist

CC: Mr. Harold Jones, Publisher
Redfield Press
Redfield, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Spiro } ss.

Harold A. Jones being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Redfield Press 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 Redfield County of Spiro and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Feb. 1, 8, 15, 22, 1962

in each and every issue of the full number thereof, the first publication being made on the 1st day of Feb. 1962 and the last publication on the 22nd day of Feb. 1962, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 24th day of February A. D. 1962

Notary Public Spiro County, S. D.

No. 2

No. 961-3

APPROPRIATION OF WATER

Office of State
Water Resources Commission
Pierre, S. Dak.
January 25, 1962

Notice is hereby given that Neal Waldron whose postoffice address is Hartford, Illinois, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.45 cubic feet of water per second of time from ground water through two wells, the points of diversion of which are to be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28 Twp. 61N Range 61W. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{2}$ Sec. 28, T 61N, R 61W

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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 Right Specialist
(Feb. 1, 8, 15, 22)

Permit No.

961-3

Water Division No. 3 JAMES 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~~

I have this day made a thorough examination of the diversion works constructed by

of

County, South Dakota, holder of Permit No. 961-3, issued

upon Application No. 961-3, bearing date of priority of JANUARY 25 67, 19

diversion of 4.45 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: WELL #1 80' DEEP WITH 8" LAYNE BOWLER PUMP 5-120 BOWLER, POWERED BY 549 INTERNATIONAL NATURAL GAS ENGINE; WELL #2 100' DEEP W/ 8" LAYNE BOWLER PUMP 5-120 BOWLER, POWERED BY 549 INT. NAT. GAS MOTOR. 190'-10"; 250'-0" & 1980'-6" MAINLINE 10-1280' TRAP LINES SPRINKLER LINES WITH 3/16 RAINBIRD ROW SPRINKLER HEADS & 20' PACING @ 45 PSI. and the system is in the following condition: EXCELLENT

The point of diversion is located WELL #1 1320' N & 1320' EE OF W 1/4 CORNER; WELL #2 520' E 1440' FROM N 1/4 CORNER, SECTION 32, T117N, R61W

The works are capable of diverting and conveying to the place of use 4.8 cu. ft. per second of water, which is to be used for IRRIGATION

The several sub-divisions to be irrigated are: N 2 SECTION 32, T117N, R61W

comprising a total of 312 acres of land.

The domestic use intended comprises

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

WELL #1 - MOVED APPROX 1000' FROM LOCATION SHOWN ON W/R MAP # 612-3

Witness my hand, this 17TH day of

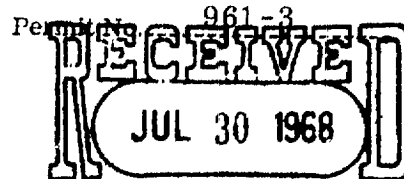
OCTOBER

A. D. 1967

—SEAL—

Burton Jones
Examining Engineer

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION



NOTICE OF TRANSFER OF WATER PERMIT

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

July 12, 1968

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Neal Waldron

who previously owned the land described below has sold his interests to A. B. Hudson

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 961-3
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF Kansas ~~SOUTH DAKOTA~~

County of Johnson

} ss.

I, A. B. Hudson 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, and I know of my own personal knowledge that the information herein stated is true.

Signed A. B. Hudson

Subscribed and sworn to before me this 23rd day of July 1968.

My Commission Expires August 29, 1970

Sandra G. Nash
Notary Public

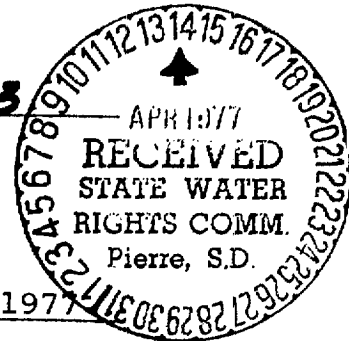
Form 20.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: April 14, 1977

No. 961-3



This is to notify you that title to the lands described as follows:

NW 1/4 32-117-61 & NE 1/4 Sec 32, T14N, R61W

formerly owned by A. B. Hudson

has been transferred to Larry, Keith & Herb Glenn Freeland or
together with any rights to the beneficial use of water thereon as evidenced by Freeland Farms

Water Right Permit No. 961-3 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission as
evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover
filing fees as required under Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of Hughes)

I, Freeland Farms 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, and I know of my own personal
knowledge that the information herein stated is true.

Larry Freeland
(Signed)

Subscribed and sworn to before me this 14th day of April

19 77.

Betty Westlund
(Notary Public)
Lara / Water Clerk

(1A)

Greeland Farms

X SP	961-3	320 acres	N $\frac{1}{2}$	32-117-61	Greeland Farms
X SP	1048-3	156 acres	NW 4	28-116-61	
X SP	1050-3	430 "	S $\frac{1}{2}$ 5 & NE $\frac{1}{4}$	8-116-61	
X SP	1071-3	156 "	NE $\frac{1}{4}$	29-116-61	
X SP	1072-3	156 "	NW 4	20-116-61	
X SP	1073-3	312 "	NE $^+$ & SE $^+$	19-116-61	
X SP	1180-3	240 "	S $\frac{1}{2}$ SW $^+$ 28 & NW $^+$	33-117-61	
X SP	1223-3	131 "	SE $\frac{1}{4}$	29-117-61	
X SP	1458-3	160 "	NW 4	22-116-61	
X BD	1775-3	160 "	NE $^+$	35-110-62	
X BD	1891-3	262 "	NE $^+$ & SE $^+$	28-116-61	✓
X SP	2613-3	130 "	SE $^+$	21-116-61	Herb Greeland
X BD	3891-3	140 "	SW $^+$	26-110-62	Larry Greeland
BD (still active)	3890-3	140 "	NW $^+$	33-110-62	Larry Greeland
X BD	4263-3	140 "	SW $^+$	10-109-62	Larry Greeland

January 4, 1982

Dettler Farms
Rural Route
Doland, South Dakota 57436

Dear Sirs:

As per our telephone conversation December 30, 1981, enclosed are transfer forms for transferring Water Right Permits in the name of Freeland Farms, Herb Freeland, and Larry Freeland, to your name.

Each transfer form is partially filled out including the permit number, number of acres, and land covered under the permit. Check over each form, date, sign and have notarized before returning them to this office with a \$2.50 filing fee for each permit. Only complete the forms pertaining to the land you now own. Please return the remaining forms with, if possible, the name of the person(s) now owning the land.

Also enclosed are the 1981 Irrigation Questionnaires, please complete the forms pertaining to the Water Rights covering land you now own, and return them to our office.

Please note that Permit No. 3890-3 is still in deferred status. If you have any questions or need further information, please contact our office. We would appreciate your prompt attention in this matter.

Sincerely,

Genny Young
Water Rights Specialist
Water Rights Division
Phone: (605) 773-5352

BD3103GY.wr

South Dakota
Department of
Water & Natural Resources
Jon Foss Building
Pierre, South Dakota 57501
Water Rights Division
605 773-3352

June 16, 1982

Dettler Farms
RR
Doland SD 57436

SECOND NOTICE

Dear Sirs:

On January 4, 1982 notice was sent to you concerning the transfer of water rights listed in the name of Freeland Farms, Herb Freeland and Larry Freeland. To date, nothing has been heard from you on this matter.

Enclosed is a list of their water rights and a number of transfer forms. Check over the list and complete the forms pertaining to the land you now own. Each transfer form should be dated, signed, notarized and returned to this office with a \$2.50 filing fee (\$2.50 each). Return the remaining forms with, if possible, the name of the person(s) now owning the land.

It is very important that our water right files remain up to date concerning proper ownership. Your assistance in this matter would be appreciated. If you have any questions, please contact this office.

Sincerely,

Genny Young

GENNY YOUNG
Water Rights Specialist

GY:ks

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 23, 1991

961-3
1050-3
1120-3
1223-3

Kevin Dettler
RR
Doland, SD 57436

Dear Mr. Dettler:

I am contacting you regarding ownership of land covered under Water Right Nos. 961-3, 1050-3, 1120-3 and 1223-3. You indicated in a January 23, 1991 telephone conversation with Regan Fanning, of this office, that you have owned the land described in these water rights for several years.

Enclosed are partially completed "Notice of Transfer" forms for use in filing the ownership changes. The water rights are currently listed in the name of Freeland Farms.

The transfer forms should be checked over for accuracy and signed in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$10.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

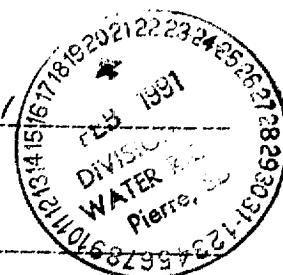
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 961-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 2/05/91



I/We request that Water Permit/Right No. 961-3

formerly owned by: Freeland Farms

be transferred to: (name & address) Kevin Dettler DBA DETTLER FARMS

RR1 Box 29 Doland SD 57436

(telephone No.) 605-635-6498

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

320 acres in the N 1/2 of Section 32, T117N, R61W

I/We understand that the validity of Water Permit/Right No. 961-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Spink)

I/We Kevin Dettler 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, and that I know of my own personal knowledge that the information herein stated is true.

Kevin Dettler
(Signed)

Subscribed and sworn to before me this 14th day of February, 1991.

Bonnie M. Wagner
(Notary Public) 2-7-91

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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

Division of Water Rights

South Dakota Department of Water and Natural Resources

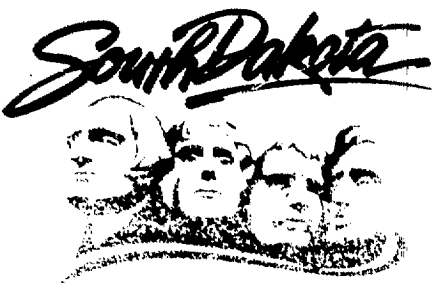
Pierre, February 29, 1991

RECEIVED OF Kevin Dettler, HCR 1 Box 29, Doland, SD 57436

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 _____ Water Right No. 961-3	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John H. H. H.
Chief Engineer



GREAT FACES. GREAT PLACES.

May 30, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. 961-3
1050-3
1223-3

961-3

Kevin Dettler
DBA Dettler Farms
RR 1, Box 29
Doland, SD 57436

Dear Mr. Dettler:

Enclosed are 3 receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 961-3, 1050-3 and 1223-3.

Our records now show you as the owner of Water Right Nos 961-3, 1050-3 and 1223-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

KEVIN DETTLER
RR #1 BOX 29
DOLAND SD 57436

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 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 4th hearing date, 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 9, 1992

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: KEVIN DETTLER
RR #1 BOX 29
DOLAND, SD 57436

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 

SUBJECT: Amendment to Water Permit No(s). 961-3, 1050-3,
1120-3 & 1223-3

Pursuant to the provisions of the Notice dated January 27, 1992, and following the hearing March 4, 1992, the Water Management Board has amended Water Permit No(s). 961-3, 1050-3, 1120-3 & 1223-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit future irrigation questionnaires could result in suspension of the water permit and no use of water for up to one year for the first violation.



961-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: KEVIN DETTLER
RR 1 BOX 29
DOLAND SD 57436

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 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) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, 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) 961-3, 1050-3, 1120-3 & 1223-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

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 fee, 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:

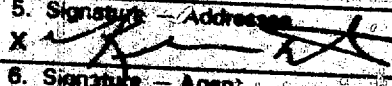
KEVIN DETTLER
RR 1 BOX 2
DOLAND SD 57436

4. Article Number
961-3 P 906 560 155

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 

6. Signature - Agent
X

7. Date of Delivery
Jan 31, 92

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

PS Form 3811, Apr. 1989

DOMESTIC RETURN RECEIPT



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 1993

961-3
1050-3
1120-3
1223-3

Kevin Dettler
Dettler Farms
HC 71 Box 29
Doland, SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt your 1992 irrigation questionnaires. You may disregard the January 29, 1993, Notice of Violation of Water Permit Nos. 961-3, 1050-3, 1120-3, and 1223-3.

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.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

NOTICE

RE: Violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 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) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, 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

Is your RETURN ADDRESS completed on the reverse side?

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.
- This 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:

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

4a. Article Number

961-3 P 837 692 624

4b. Service Type

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

7. Date of Delivery

2-17-94

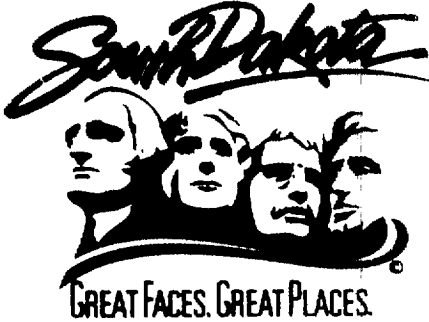
5. Signature (Addressee)

Kevin Dettler

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 1994

NOTICE

TO: KEVIN DETTLER
HC 71 BOX 29
DOLAND, SD 57436

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 961-3, 1050-3, 1120-3 & 1223-3,

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

**9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.**

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
 2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
 5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
 1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
 4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
 180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
 1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
 1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
 417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
 540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
 1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
 792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
 4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
 2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
 1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
 1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
 1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
 2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
 526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
 1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
 3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
 1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
 407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
 4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
 5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
 2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
 4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
 5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
 475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 57219.
 961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

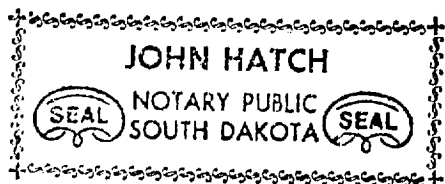
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc, HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenck, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Golliher, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

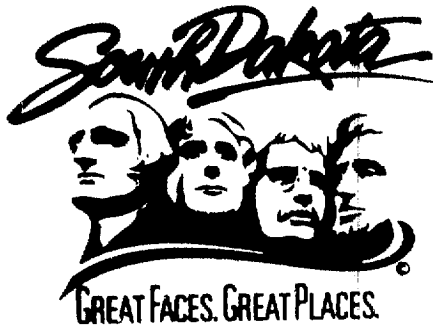
STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 18, 1994

961-3
1050-3
1120-3
1223-3

Kevin Dettler
HC 71 Box 29
Doland, SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 961-3, 1050-3, 1120-3 and 1223-3.**

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

961-3

Article Number

P 378 081 302

4b. Service Type

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

7. Date of Delivery

2-6-97

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X 

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

961-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: KEVIN DETTLER, HC 71 BOX 29, DOLAND, SD 57436

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

SUBJECT: Violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3, 3189-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3, 3189-3. The request for the Questionnaires 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1997

Kevin Dettler
HC 71 Box 29
Doland, SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, **Notice of Violation of Water Permits and 1996 Irrigation Questionnaire requirements.**

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

If you have any questions, please contact me.

Sincerely,

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



January 9, 1998

961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: KEVIN DETTLER, HC 71 BOX 29, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3189-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 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, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

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:

961-3

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

4a. Article Number

Z 179 157 136

4b. Service Type

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

7. Date of Delivery

1-10-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

Kevin Dettler

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

Thank you for using Return Receipt Service.

961-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 1998

961-3

1050-3

1120-3

1223-3

3189-3

Kevin Dettler
HC 71 Box 29
Doland SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 961-3, 1050-3, 1120-3, 1223-3 and 3189-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 22, 1999

961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: KEVIN DETTLER, HC 71 BOX 29, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3189-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 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 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

961-3

is your RETURN ADDRESS completed on the reverse side?

SENDER: USA

- 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:

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

4a. Article Number
P 378 080 727

4b. Service Type

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

7. Date of Delivery
12399

5. Received By: (Print Name)
.

6. Signature: (Addressee or Agent)
Becky Dettler

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

PS Form 3811, December 1994

102505-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 1999

Kevin Dettler
HC 71 Box 29
Doland, SD 57436

RE: Water Right/Permit Nos. 961-3, 1050-3, 1120-3, 1223-3 & 3189-3

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right/Permit Nos. 961-3, 1050-3, 1120-3, 1223-3 & 3189-3.

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



961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: KEVIN DETTLER, HC 71 BOX 29, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3189-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

961-3

SENDER COMPLETE THIS SECTION

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

1. Article Addressed to:

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature ☐ Agent
☒ Brett Dettler ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2227670281



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 2000

Kevin Dettler
HC 71 Box 29
Doland, SD 57436

RE: Water Permit/Right Nos. 961-3, 1050-3, 1120-3, 1223-3 and 3189-3

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit/Right Nos. 961-3, 1050-3, 1120-3, 1223-3 and 3189-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 16, 2002

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: KEVIN DETTLER, HC 71 BOX 29, DOLAND, SD 57436
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3114-3 & 3189-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3114-3 & 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3114-3 & 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

961-3

SENDER, COMPLETE THIS

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

1. Article Addressed to:

KEVIN DETTLER
HC 71 BOX 29
DOLAND SD 57436

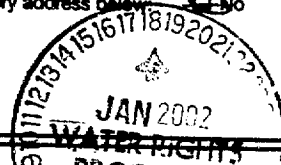
A. Received by (Please Print Clearly)

Becky Dettler

B. Date of Delivery

1-17-02

C. Signature

X *Becky Dettler*☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7001 2510 0004 4797 5811

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2002

Kevin Dettler
HC 71 Box 29
Doland, SD 57436

RE: Water Permit or Right Nos. 961-3, 1050-3, 1120-3, 1223-3, 3114-3 and 3189-3

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 961-3, 1050-3, 1120-3, 1223-3, 3114-3 and 3189-3.

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



961-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: KEVIN DETTLER, 40168 173RD ST, DOLAND, SD 57436
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3114-3 & 3189-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3114-3 & 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 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 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. 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) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3114-3 & 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



961-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 4487

Your item was delivered at 9:44 am on January 18, 2003 in DOLAND, SD 57436. The item was signed for by J ETJDP.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4487

KEVIN DETTLER
40168 173RD ST
DOLAND SD 57436

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(See Reverse)

PS Form 153, February 2001



961-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 2003

Kevin Dettler
40168.173RD St
Doland SD 57436

Dear Mr. Dettler:

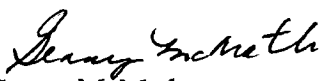
I am writing to acknowledge receipt of the 2002 irrigation questionnaires for the following Water Rights:

- Kevin & Becky Dettler: 961-3, 1050-3, 1120-3, 1223-3, 3114-3 (Robert Freeburg) and 3189-3 (Russ Hansen Estate)
- DeWayne Hofer & K-D Trust: 1072-3, 1073-3 and 1458-3
- Michael J Silver: 1048-3, 1071-3, 1891-3 and 2613-3

You may disregard the January 17, 2003, "Notice" concerning reporting requirements. The information was received in our office prior to the Water Management Board meeting and the issue 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

c: DeWayne Hofer
Michael J Silver



961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 14, 2003

961-3
1050-3
1120-3
1223-3

Becky Dettler
40168 173rd St
Doland SD 57436

Dear Ms. Dettler:

Enclosed, as you requested, are copies of irrigation questionnaires for Water Right Nos. 961-3, 1050-3, 1120-3 and 1223-3. The forms included are for the years 1992 through the present.

No forms were received for the years 1990 and 1991. The water rights were transferred to Dettler Farms in February, 1991. The 1991 forms would have been the first year you would have received forms to complete.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: KEVIN DETTLER, 40168 173RD ST, DOLAND, SD 57436
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 1048-3, 1071-3, 1072-3, 1073-3, 1458-3, 1891-3, 2613-3, 3114-3 & 3189-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1048-3, 1071-3, 1072-3, 1073-3, 1458-3, 1891-3, 2613-3, 3114-3 & 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1048-3, 1071-3, 1072-3, 1073-3, 1458-3, 1891-3, 2613-3, 3114-3 & 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2004

Kevin Dettler
40618 173rd St
Doland SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit/Right Nos. 961-3, 1048-3, 1050-3, 1071-3, 1072-3, 1073-3, 1120-3, 1223-3, 1458-3, 1891-3, 2613-3 and 3114-3.

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

Thank you for letting me know that you will be farming only Robert Freeburg's land next year. I will make the changes to the files and get in contact with the owners of the other property to find out what they want to do with next years questionnaires.

If you have any questions, please contact me.

Sincerely,

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



961-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 4, 2004

Jerry Kleinsasser
Glendale Colony
17866 Glendale Dr
Frankfort SD 57440

Dear Mr. Kleinsasser:

I am contacting you in regard to ownership of land described in Water Right Nos. 961-3, 1050-3, 1120-3 and 1223-3. These water rights are currently listed in the name of Kevin Dettler, dba Dettler Farms. Enclosed are copies of the water rights for your review.

It is our understanding that the colony purchased the land from Mr. Dettler. Enclosed are partially completed "Notice of Transfer of Ownership" forms for filing ownership changes. Please review the forms and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$10.00). The check or money order for the fee can be made payable to the Water Rights Program.

If the colony did not purchase all of the land and I should be contacting someone else concerning the transfers, please let me know. Thank you in advance for your help. You may keep the copies of the water rights. The only documents we need to have back are the transfer forms (and filing fees).

Sincerely,

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

enclosures



961-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2004

Jerry Kleinsasser
Camrose Hutterian Brethren Inc
17870 Glendale Dr
Frankfort SD 57440

RE: Water Right Nos. 961-3, 1050-3, 1120-3 and 1223-3

Dear Mr. Kleinsasser:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms you submitted for transferring the water rights held by Dettler Farms.

Prior to transferring the water rights, a \$2.50 fee is required for each water right being transferred. My first letter may not have been clear with respect to the fee. The total amount due would be \$10.00. You may make the check or money order payable to the "Water Rights Program".

Thank you in advance for your help.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAR 09 2004

WATER RIGHTS
PROGRAM

No. 961-3

Date: 3-6-04

I/We request that Water Right No. 961-3

formerly owned by: Kevin Dettler, dba Dettler Farms

be transferred to: (name & address) Camrose Hutterian Brothers Inc.
17870 Glendale Dr. Frankfort, S.D. 57440
Telephone No. 605-472-0772

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

320 acres - N ½ Section 32, T117N, R61W

I/We understand that the validity of Water Right No. 961-3 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 Two Dollars and Fifty Cents (\$2.50) 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 Camrose Hutterian, the new owner, certify that the above information is true and correct.

Jerry Kleinsasser
(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 18, 2004

RECEIVED OF Glendale Hutterian Brethren Inc., 17866 Glendale Dr, Frankfort SD 57440

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	2 50	
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>961-3</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	2.50

No.

001238

By

Darland Erbe

Chief Engineer

gm



961-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2004

Jerry Kleinsasser
Camrose Hutterian Brethren Inc
17870 Glendale Dr
Frankfort SD 57440

RE: Water Right Nos. 961-3, 1050-3, 1120-3 and 1223-3

Dear Mr. Kleinsasser:

The ownership changes for Water Right Nos. 961-3, 1050-3, 1120-3 and 1223-3 have been completed. The water rights, formerly held by Dettler Farms are now listed in the name of "Camrose Hutterian Brethren Inc."

Enclosed are your receipt Nos. 001238, 001239, 001240 and 001241 in the amounts of \$2.50 each. You may keep these for your records.

I am assuming since you signed the transfer forms for Camrose Hutterian Brethren, that you are the contact person. If I should be directing future correspondence to someone other than you, please let me know.

Sincerely,

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