

- 1092-1
1. Considered MAY 20, 1976
2. Name of Applicant JOHN MERLMAN
3. Post Office Address SHADEHILL
4. Amount of water claimed 2.7
5. Source of water supply GRAND RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 191
7. Water to be diverted and used in PERKINS county
about N EDGE miles of SHADEHILL
8. Proof of Publication Received
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

Map No. 904-1 Water Division No. 1 GRAND 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 John H. Merriman
 Postoffice address Shadehill, State South Dakota
 If a corporation show date and place of incorporation -0-
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work Blue Water - Green Crop Project No. 1
4. Amount of water claimed (cubic feet per second) 2.7 cfs
5. Source of water supply Grand River below Shadehill Reservoir
6. Location of point of diversion On the Grand River: 9 rods S20°00'E of the SW corner of Sec. 20, T21N, R16E
 _____ County Perkins
7. Annual period or periods during which water is to be used May 1 to September 30
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 191

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
#1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, 21, 16	37	#5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, 21, 16	14
#2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, 21, 16	39	#6, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, 21, 16	6
#3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, 21, 16	40	#7, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, 21, 16	40
#4, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, 21, 16	15	Total	191

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Lemmon Leader
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump

B. Works proposed to transport water to place of use.

Pipe

C. Works proposed to apply water to beneficial use.

Sprinkler

Estimated Total Cost \$20,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Perkins

I, John H. Merriman the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signed John H. MerrimanSubscribed and sworn to before me this 2 day of March, 1976.

Secretary Public (or other qualified officer)

**BLUE WATER — GREEN CROP
IRRIGATION PROJECT No 1
"John H Merriman"**

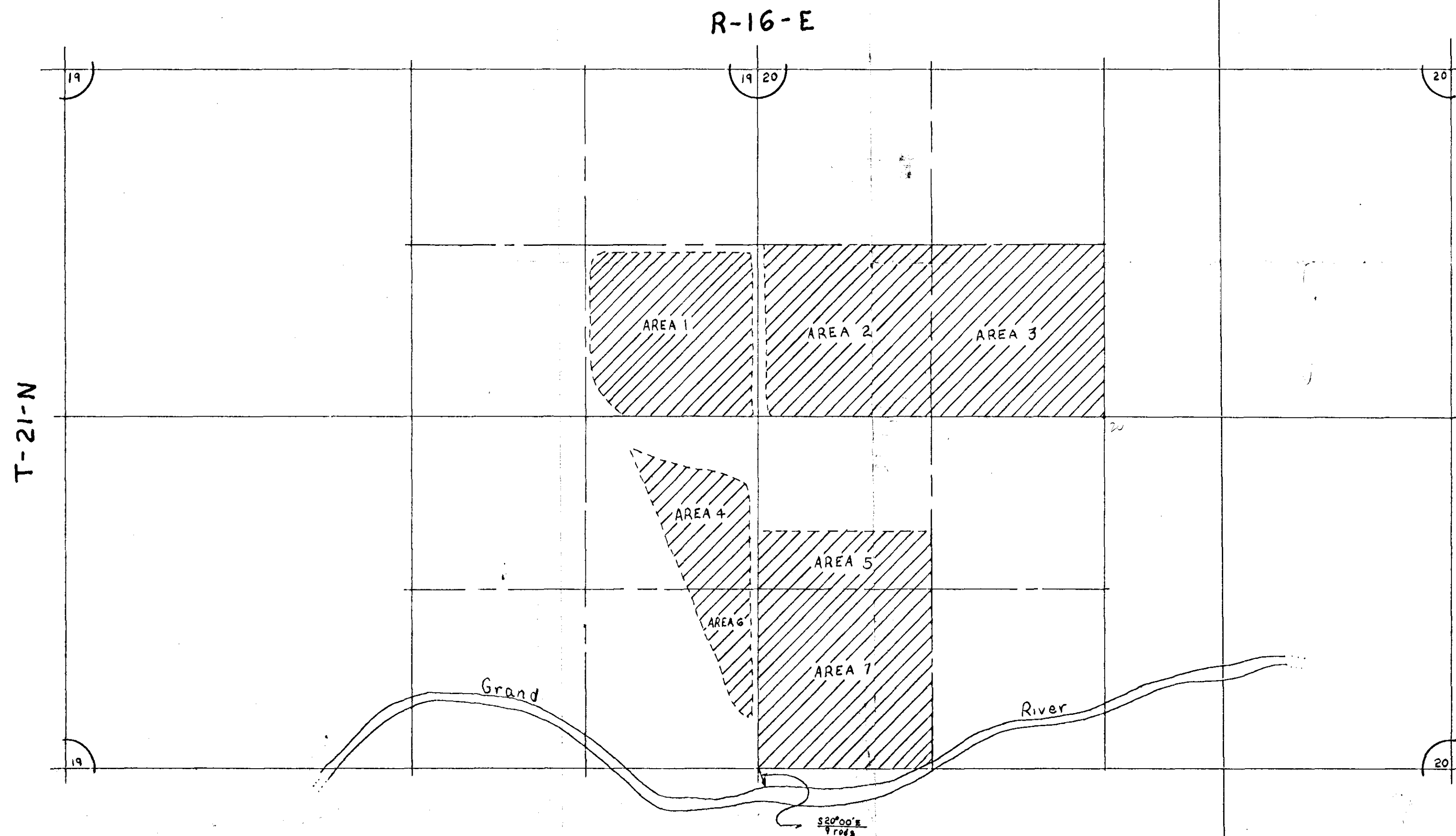
Perkins County, South Dakota

*Keith Kuehnbecker, Manager
West River Conservancy Sub-District*

Scale: 1" = 660'

All lands described are owned by "Russal Merriman"

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SE 1/4 NE 1/4	19	21 N	16 E	37
2	SW 1/4 NW 1/4	20	21	16	39
3	SE 1/4 NW 1/4	20	21	16	40
4	NE 1/4 SE 1/4	19	21	16	15
5	NW 1/4 SW 1/4	20	21	16	14
6	SE 1/4 SE 1/4	19	21	16	6
7	SW 1/4 SW 1/4	20	21	16	40
total					191



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1092-1
JOHN H. MERRIMAN SHADEHILL
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57653 With the following modifications:

Low flows as needed for downstream domestic use, including livestock watering, and prior water right use are to be bypassed. This water right covers unappropriated water which exists at this location only in intermittent seasonal or flood control flows in the Grand River. This water supply is not a dependable source of water for irrigation. A dependable source of water may be obtained by contract with the Bureau of Reclamation for water service from Shadehill Reservoir.

Date of first receipt of application APRIL 12, 1976
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved MAY 20, 1976 Recorded in Book 15 Page 203

WATER RIGHT PERMIT NO. 1092-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1092-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 12, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20, 1978
3. The whole of said work is to be completed on or before MAY 20, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 1985
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of appropriation herein granted shall not exceed 2.7 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MAY 20, 1985; said water to be used during the following described annual period: MAY 1 TO SEPTEMBER 30

Witness my hand this 18TH day of JUNE, 1976

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Perkins) ss.

I, Marileen Tilberg hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Lemmon Leader

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

Lemmon Leader of Lemmon
County of Perkins and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates.

April 22, 1976

April 29, 1976

Marileen Tilberg
(Signature)
Editor
(Title)
4-30-76
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
April 14, 1976
Notice is hereby given that
John H. Merrimon whose post
office address is Shadehill, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.7 cubic feet of
water per second of time from the
Grand River through the Blue
Water-Green Crop Project No. 1,
the point of diversion of which is
to be located in the NW 1/4 NW 1/4 of
Section 29, Twp. 21N, Range 16E.
Said water to be used for the
purpose of providing irrigation on
portions of the following
described land: E 1/2 SE 1/4,
SE 1/4 NE 1/4, Section 19, S 1/2 NW 1/4,
W 1/2 SW 1/4, Section 20, T21N,
R16E.

This application No. 1092-1 will
be considered by the Water
Rights Commission at their office
at Pierre on the 20th day of
May, 1976 at 1:00 P.M. All in-
terested persons may appear and
be heard.

WATER RESOURCES
COMMISSION

By: Burton F. Jones
Burton F. Jones
Water Rights Specialist
(Pub. April 22 & 29, 1976)



Form 6 - Notice of Intent to Appropriate Water

No. 1002-1

Publish first publication, on or before May 6, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 14, 1976

Notice is hereby given that John H. Merriman
whose post office address is Shadehill, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.7 cubic feet of water per second of time from the Grand River through the

No. 1
~~Blue Water Green Crop Project~~, the point of diversion of which is to be located in the

NW 1/4 NW 1/4

of Section 11, Twp. 25, Range 21N, 10E. Said water to be used for the purpose

of providing irrigation on the following described land:

SW 1/4, SE 1/4 NE 1/4, Section 19, S 1/2 NW 1/4, W 1/2 SW 1/4, Section 20, T21N,

Application No. 1002-1 will be considered by the Water Rights Commission at their office at
Pierre upon 20th day of May, 1976, at 1:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

John H. Merriman, Shadehill, S.D. 57653

SOUTH

Dakota Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1092-1

December 13, 1984

John H. Merriman
Shadehill, South Dakota 57653

Dear Mr. Merriman:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1092-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

DWR:R-814 8/83

State of South Dakota
Water License No. 1092-1

(1) John H Merriman
of Box 62, Shadehill SD 57653
made Application No. 1092-1 on April 12, 1976 for a water permit to appropriate
2.70 cubic feet per second of water from the Grand River
Perkins County, South Dakota for Irrigation purposes.
Permit No. 1092-1, with a priority date of April 12, 1976
was approved May 20, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 20, 1981 and for the application to beneficial use of said
water on or before May 20, 1985.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.83 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is on Grand River: 132 feet East and
165 feet South from the Southeast corner of Section 19, T21N, R16E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T21N, R16E

Section 20 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres (BD)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.0 " (BC)

Section 19 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33.2 " (AD)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 17.2 " (DA)

TOTAL 128.4 acres

(4) Pursuant to §16-5-30.1 John H Herriman

of Box 62, Shadehill, South Dakota 57653

the holder(s) and/or owner(s) of Water Permit No. 1092-1 is issued a license to appropriate water, the right to use

1.83 cubic feet per second of water from the Grand River with a priority date

of April 12, 1976 from the location specified in (2) of this license. The water to be

conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1092-1 and subject to South Dakota State Law.

John H. Herriman
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

September 21, 1984

Permit No. 1092-1Grand River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by John H. Merriman of Shadehill, SD holder ofPermit No. 1092-1, bearing the priority of April 12 19 76 authorizingthe diversion of 2.70 cu. ft. per second of the waters of the Grand Riverfor irrigation purposes in Perkins County

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

A. Works used to divert the water:

motor: U.S. Electrical pump: Berkeley
60 hp. S.N. 7479991
I.O. 9404239-390 imp. 8.56 in.
rpm. 3450motor: Marathon (electric) pump: Berkeley
60 hp. S.N. 7479992
M.N. CT326TDR730 imp. 8.56 in.
3550 rpm 3450 rpmmotor: Marathon (electric) pump: Berkeley
50 hp. S.N. 7740235
M.N. FA 326TDR7365 imp. 13.25 in.
1725 rpm 1900 rpm

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

Pipeline: size 8 in. 6 in. 8 in. 6 in.
type Aluminum Aluminum PVC PVC
length 2640 ft 3060 ft 2620 ft. 60 ft

C. Works used to apply water to beneficial use:

towlane: (S) Hinsman, 1500 gpm Towable center pivot: length - 640 ft.
length - 1320 ft. Zymatic pressure - 60 psi
sprinkler - rainbird, 7/32 in. 4 towers capacity - 600 gpm
sprinkler spacing - 20 ft. 150 ft between towersThe system is in the following condition goodThe point of diversion is located Grand River: 132 ft. E and 165 ft. S From
SE corner of sec 19, T21N, R16EThe works are capable of diverting and conveying to the place of use 4.66cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in T21N, R16ESE 1/4 NW 1/4 sec 20 40.0 AcresSW 1/4 NW 1/4 sec 20 38.0SE 1/4 NE 1/4 sec 19 33.2NE 1/4 SE 1/4 sec 19 17.2comprising a total of 128.4 acres of land and the license should be issued for 1.83 ctsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to constance are:

Date Oct. 14, 1983Ron Duwall
(signature)

LICENSE FOR PERMIT NUMBER 1092-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____
b) length _____
c) type _____

Screen a) type _____

b) length _____

Static Water Level _____

Pump a) make _____
b) model _____
c) size _____
d) capacity _____ GPM
e) turbine pump
no. of stages _____

Motor a) make _____

b) model no. _____

c) horsepower rating _____

d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 8 in

b) type Aluminum

c) length 2640 ft

6 in
Aluminum
3060 ft

8 in
PVC
2620 ft

6 in
PVC
60 ft

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sizeroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline: (5) Hinesman 1500 gpm

1) length 1320 feet

2) make, model & number of sprinklers _____

Rainbird
3) spacing of sprinklers 20 ft

4) nozzle size 7/32 in.

5. System Type: c) center pivot towable

- 1) make Zymatic
- 2) number of towers 4
- 3) distance between towers
 ≈ 150 ft
- 4) overall length 640 ft
- 5) End gun (Y/N)
- 6) high or low pressure high
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 60
- 9) GPM 600

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☒	☐	2. Special Qualifications to permit being abided by.
☒	☐	3. All Structures, wells and lands on map. on Grand R.

REMARKS:
(East)

motor: U.S. Electrical
60 Hp
I.D. 7404239-390

pump: Berkeley
S.N. 7479891
imp. 8.56 in
3450 rpm

(West)
motor: Marathon (electric)
60 Hp
M.N. CJ326TDR730
3530 rpm.

pump: Berkeley
S.N. 7479892
imp. 8.56 in.
3450 rpm

(Booster)
motor: Marathon (electric)
50 Hp
M.N. FA 326TDR736
1725 rpm
pump: Berkeley
S.N. 7740235
imp. 13.25 in.
1900 rpm

RECEIPT

Division of Water Rights

No 4 9550

South Dakota Department of Water and Natural Resources

Pierre, February 16, 1984

RECEIVED OF John H. or Brenda Merriman, Box 62, Shadashill, SD 57653

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. 1092-1	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch

Chief Engineer JOHN HATCH/ms

No. 1092-1

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

September 24, 1984

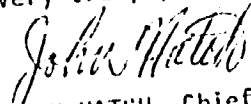
John Herriman
Box 62
Shadehill SD 57653

Dear Mr. Herriman:

Enclosed herewith is, Water License No. 1092-1. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

Enclosures

WNR-317 3/83
Transmittal of Water License

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 12, 1985

John H Merriman
Box 62
Shadehill SD 57653

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1092-1. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 1092-1 to require the Irrigation Water Use Questionnaire to be submitted each year;

2. Postpone any action;

3. Take no action.

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

Sincerely,

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

**South Dakota Department of
Water & Natural Resources**

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: John H. Merriman
Box 62
Shadehill, SD 57653

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

SUBJECT: Amendment to Water Permit No(s). 1092-1.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1092-1 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 the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

South Dakota
Department of
Water & Natural Resources

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

Attachment to Water Permit: No(s). 1092-1

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1092-1 to add the following qualification:

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

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

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

February 8, 1989

JOHN H MERRIMAN
BOX 62
SHADEHILL, SD 57653

NOTICE

RE: Violation of Water Permit No(s) 1092-1

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1092-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1092-1 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

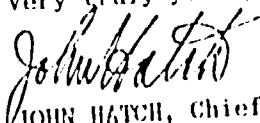
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1092-1 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



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

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

March 6, 1989

1092-1
1137-1

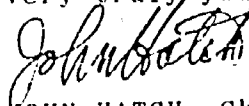
John Merriman
Box 62
Shadehill, SD 57653

Dear Mr. Merriman:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 1092-1 and 1137-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



January 9, 1998

1092-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57511-3181

NOTICE

TO: JOHN H MERRIMAN, 600 6TH ST WEST, SHADEHILL, SD 57653

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1092-1 & 1137-1. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1092-1 & 1137-1 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 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. 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) 1092-1 & 1137-1 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 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 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 (i.e., 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:

JOHN H MERRIMAN
600 6TH ST WEST
SHADEHILL SD 57653

4a. Article Number

2119 141 255

4b. Service Type

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

7. Date of Delivery

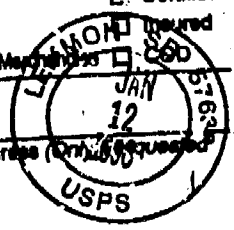
1-12-98

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

John H Merriman



Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102-965-97 8-0179

Domestic Return Receipt



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 1998

1092-1

1137-1

John Merriman
600 6th St W
Lemmon, SD 57638

Dear Mr. Merriman:

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. 1092-1 and 1137-1.

I completed questionnaires for you based on my January 13th telephone conversation with Mrs. Merriman. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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



1092-1

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: JOHN H MERRIMAN, 600 6TH ST W, LEMMON, SD 57638

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1092-1, 1137-1 & 1790-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1092-1, 1137-1 & 1790-1 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) 1092-1, 1137-1 & 1790-1 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 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 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.



1092-1

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 21, 2004

1092-1
1137-1
1790-1

John H Merriman
600 6th St W
Lemmon SD 57638

Dear Mr. Merriman:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 1092-1 & 1137-1 and Water Permit No. 1790-1.

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

1097

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John Merriman (C)

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9.1

6-1

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6.6.3

76.8

Sohn Merriman

John Merriam (CP)

19.5

F.O.

21-16

2-48-R

104 John Merriman (OR)
Doyle Gossman (LOW)

5.8 20A

35.6

20

1910

14.3

43.0

21-16

~~Map 104-1~~
W.R. 1092-1



1092-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: JOHN H MERRIMAN, 600 6TH ST W, LEMMON, SD 57638

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1092-1, 1137-1 & 1790-1. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1092-1, 1137-1 & 1790-1 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1092-1, 1137-1 & 1790-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: YJKGME**

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.

1092-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2020

1092-1
1137-1
1790-1

John W Merriman
600 6th St W
Lemmon SD 57638

Dear Mr. Merriman:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right or Permit Nos. 1092-1, 1137-1 & 1790-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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