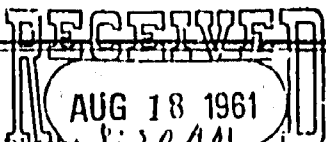


600-1

1. Considered 11-8 1961
2. Name of Applicant A. Wayne Vig
3. Post Office Address Opae
4. Amount of water claimed 3.9
5. Source of water supply Pease River Creek
6. Water to be used for irrigation
Acres to be irrigated 273
7. Water to be diverted and used in Alameda County about
SE miles 35 of Opae
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

APPROVED
Subject to
Opae
Engineer
by SCS
approval withdrawn

No. 600-1

Water Division No. 1 SULPHUR CREEK BEAVER DAM
 (Blanks to be filled by the Engineer for the W. R. C.) STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant A. WAYNE VIGPostoffice address CPAL, County MEADE, State S.D. DAK.

Beginning at a point N 51°45' W 1390' from the E $\frac{1}{4}$ Cor. 6 S, T. 10 N., R. 14 E
 to a point N 90° W 1320' from the S $\frac{1}{4}$ Cor. 8, 11, T. 10 N., R. 14 E-BHM
 on Both Banks of Beaver Dam Creek and the main Beaver Dam Creek.

also

Beginning at a point N 90° E 138' from the NW Cor. Sec. 34, T. 11 N., R. 14 E
 to a point on the main Beaver Creek N 90° W 1320' from the S $\frac{1}{4}$ Cor. 8, 11,
 T. 10 N., R. 14 E-BHM.

(d) Amount paid in _____

(e) Names and addresses of directors _____

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

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

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

(b) Cash on hand _____ (c) Treasury stock, \$ _____

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

2. Name of diversion work VIG'S MAIN CREEK IRRIGATION PROJECT3. Amount of water claimed 4.6 3.9 cubic feet per second4. Source of water supply BEAVER DAM CREEK WITH BRANCHES OF SAME

5. Location of point of diversion _____

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used APRIL 1ST TO NOV. 30th

7. To be used for:

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

(a) Number of acres to be irrigated 273 acres

NW-SW-7 ac., NE-SW-9 ac., SW-SW-15 ac., SE-SW-8 ac.

Sec. 2, T. 10 N, R. 14 E Total 39 ac.

NE-SW-19 ac., SE-SW-10 ac., SW-SE-19 ac., SE-SE-18 ac.

Sec. 4, T. 10 N, R. 14 E Total 66 ac.

NW-NW-16 ac., NE-NW-6 ac., SW-NW-21 ac., SE-NW-3 ac., NW-SW-8 ac.,

NE-SW-15 ac.

Sec. 34, T. 11 N, R. 14 E Total 69 ac.

NE-NW-9 ac., NE-NE-3 ac., SE-NE-18 ac., NE-SE-10 ac., Sec. 10, T. 10, R. 14 34 ac.

NE-NW-9 ac., SE-NW-4 ac., SW-NE-9 ac., NW-SW-7 ac., NE-SW-3 ac., SW-SW-12 ac.
 SE-SW-12 ac., NW-SE-6 ac., SW-SE-6 ac., Sec. 11, T. 10 N., R. 14 E. 65 ac.(d) Method of developing power None Total 273 ac.(e) Point where water will be returned to stream X X X X X

MAP NO 511-1

XX The extent of this project will be dependent upon the results of the survey by the Great Plains Project engineers

8. Estimated cost of work:
- | | |
|----------------------------|----------------------------|
| (a) Head Gates, \$..... | (b) Pumping plant, \$..... |
| (c) Fluming, \$..... | (d) Canal-earth, \$..... |
| (e) Other structures | Rock, \$..... |
| | Total, \$..... |

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....
material used in construction

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

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

(c)* Head gate: Width.....feet; height.....feet;
Material

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....years.
11. Time required for complete application of water to the proposed beneficial use.....years.

12. Choice of newspaper for publication of notice of intention to appropriate
THE BLACK HILLS PRESS, STURGIS, S.D.

STATE OF SOUTH DAKOTA

County of **DEADE**

I, **A. WAYNE VIC, OPAL, S.D.**

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

Signed

Subscribed and sworn to before me this **28 TH** day of **JULY** 19 **81**

Carl M. Cornell,

Notary Public (or other qualified officer.)

Scale-1 inch = 860 feet.
8 inches = 1 mile.

I, Carl M. Cornell, Licensed Surveyor in and for the State of South Dakota, do hereby certify that, at the request of A. Wayne Vig of Opal, South Dakota, I have made a survey and prepared this plat of the irrigable areas embraced in the Vig's Twin Creek Irrigation Project, for the purpose of furnishing the required plat and computation of the irrigable areas embraced in his "Application for a Permit to Appropriate Water for Irrigation purposes."

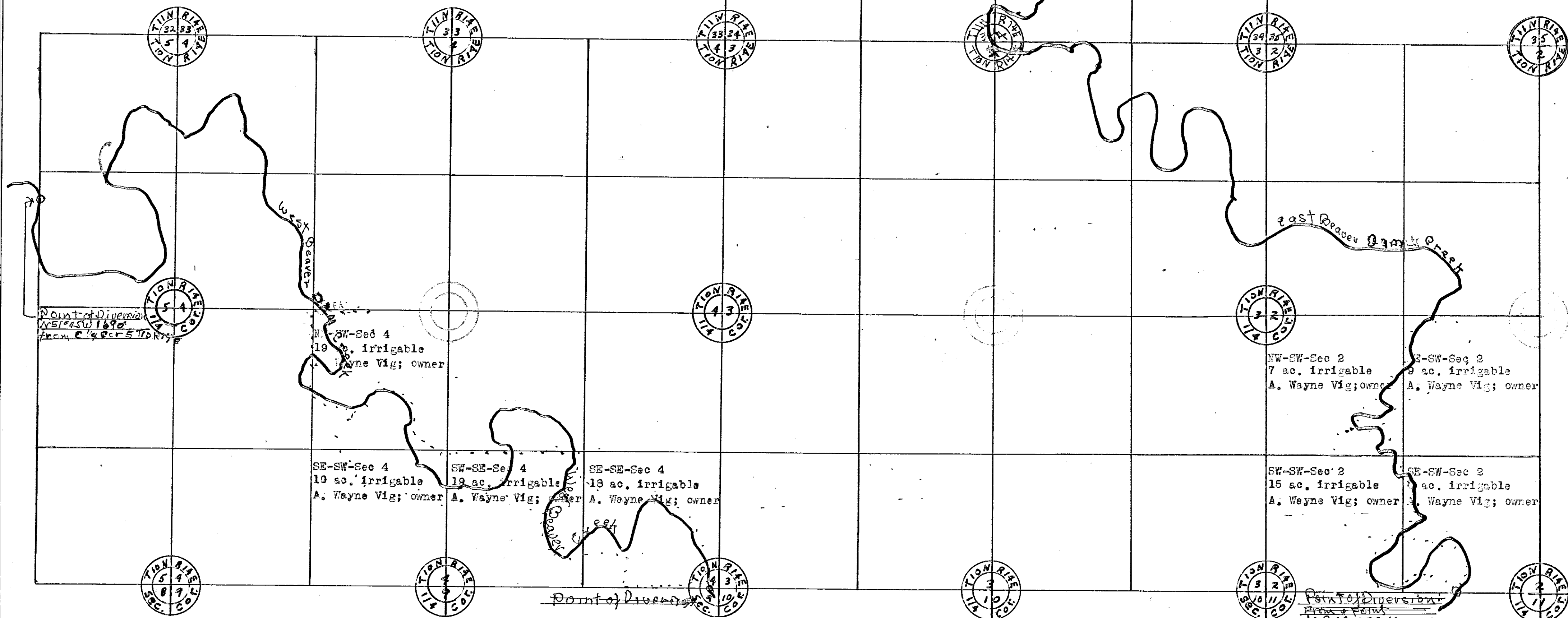
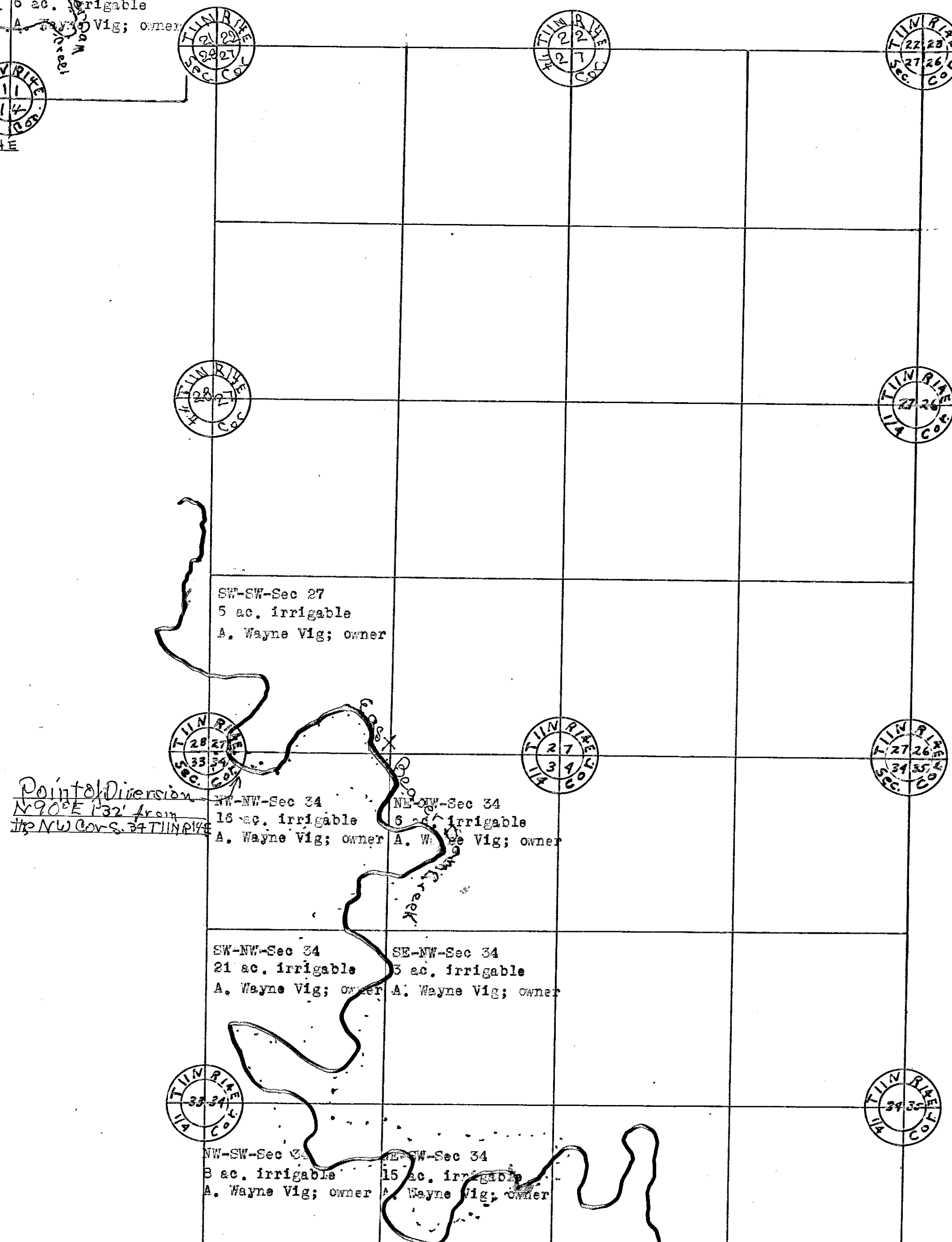
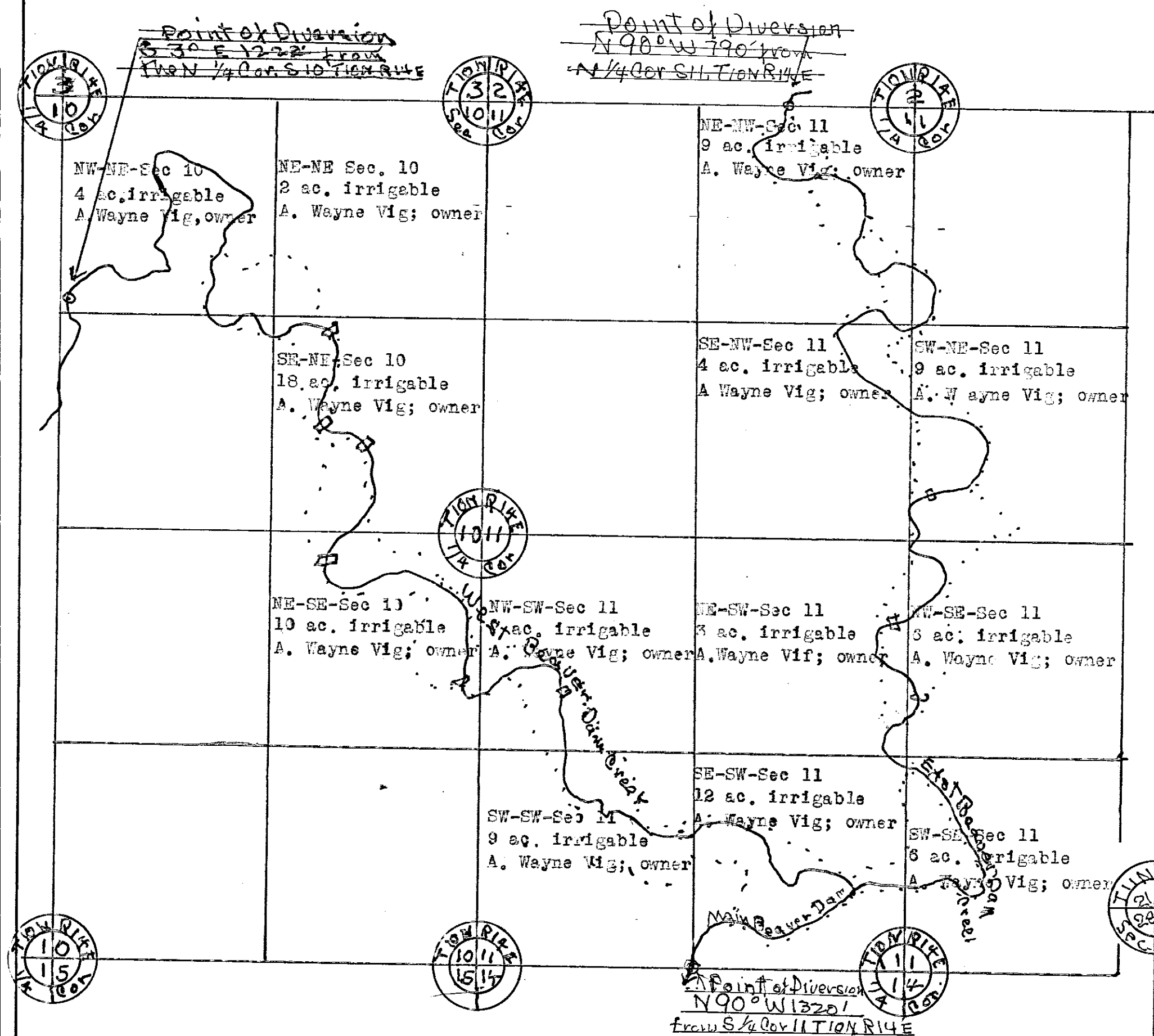
I further certify that the lengths and bearings of the several lines shown and their location with reference to the Government Land Corners shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 9th day of August 1961.

Signed: Carl M. Cornell (SEAL)
Carl M. Cornell, Licensed Surveyor #144

Subscribed and sworn to before me at Buffalo, South Dakota this 11th day of August 1961.

Eleanor Lindholm



MAP № 511-1
APPL № 600-1

Remarks by State Water Resources Commission:

DIVERSION STRUCTURES BUILT UNDER THIS PERMIT MUST INCORPORATE AN UNCONTROLLED BY-PASS TUBE, NOT SMALLER THAN 10 INCHES IN DIAMETER, TO ALLOW PASSAGE OF LOW STREAM FLOWS FOR DOWN-STREAM DOMESTIC USE. THE TOP OF THESE OUTLET TUBES MUST BE LOCATED AT LEAST ONE FOOT BELOW THAT ELEVATION AT WHICH WATER WOULD BE DIVERTED FROM THE WATERCOURSE.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, JUNE 20, 1962

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 18TH day of AUGUST, 1962

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 600-1

Date of first receipt of application AUGUST 18, 1961

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

Date of receipt of corrected application —, 19—

Date from which applicant may claim right AUGUST 18, 1961

Approved MAY 9, 1962, Recorded in Book 7 Page 129

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 NOVEMBER 9, 1964

2nd. The whole of said work is to be completed on or before MAY 9, 1967

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

MAY 9, 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 3.9 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 MAY 9, 1967; said water to be used during the following described annual period:

APRIL 1 THRU NOVEMBER 30

Witness my hand this 20TH day of JUNE, 1962

State Water Resources Commission

By:

[Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 6, 1971

Water License Issued JULY 6, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ... 600-1

(1) WHEREAS, On the 18th day of August A. D. 19 61
A. Wayne Big

made Water Right Application No. 600-1 for a permit to use 3.9 cubic feet per second of the waters
of Beaver Dam Creek
County of Haade, State of South Dakota, for irrigation
_____ purposes and

(2) WHEREAS, On the 20th day of June A. D. 19 62
Permit No. 600-1, with a date of priority of August 18, 1961
was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 9th day of June A. D. 19 67 and for the
application to beneficial use of said water on or before the 9th day of June A. D. 19 67

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.05 cubic feet
per second of water for beneficial use and.

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

for irrigating the following land in T11N, R14E

Section 27	SW$\frac{1}{4}$ SW$\frac{1}{4}$ <i>CL</i>	5 acres
Section 34	NW$\frac{1}{4}$ NW$\frac{1}{4}$ <i>CL</i>	16 acres
	NE$\frac{1}{4}$ NW$\frac{1}{4}$ <i>CL</i>	6 acres
	SW$\frac{1}{4}$ NW$\frac{1}{4}$ <i>CL</i>	21 acres
	SE$\frac{1}{4}$ NW$\frac{1}{4}$ <i>CL</i>	3 acres
	NW$\frac{1}{4}$ SW$\frac{1}{4}$ <i>CL</i>	8 acres
	NE$\frac{1}{4}$ SW$\frac{1}{4}$ <i>CL</i>	15 acres
Total		74 acres

CC
10/30/13

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to A. Wayne Vig

_____ of Opal, S.D.

the holder _____ and owner _____ of said permit No. 600-1 a water right, dating from August 10, 1961

_____ to use of 1.05 cubic feet per second of the waters of Beaver Dam Creek

in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at points 250' East and 120' South of the NW Corner, and 3060' South and 2300' East of the same Corner, Section 34, T12N, R14E

and conduct to and up on portions of Sections 27 and 34, T11N, R14R described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 600-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of July A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 600-1

Water Diversion No. 1 SULPHUR CREEK Water District

CERTIFICATE OF CONSTRUCTION

A. Wayne Vig

This is to Certify, That

Permit No. 600-1, issued upon Application No. 600-1, bearing date of priority of August 19, 1961, authorizing the diversion of 3.9 cu. ft. per second of the waters of Beaver Dam Creek County of Meade, State of South Dakota at points 250' East and 120' South of the NW Corner, and 3060' South and 2300' East of the same Corner, Section 34, 111N, R14E, for irrigation

purposes, has 8 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 up to 15 cu. ft. per second of water

Date July 6, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 600-1Water Division 1 SULPHUR CREEK Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by A. WAYNE
Vig of OPAL holder
of Permit No. 600-1 bearing date of priority of AUGUST 18, 1961
authorizing the diversion of 3.9 cu. ft. per second of the waters of BEAVER DAM CREEK
for IRRIGATION purposes, in MEADE County.

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

The Water Use System consists of,

A. Works used to divert the water:

TWO MAIN DIVERSION DICES TO GET WATER
ON TO FIELDS - BOTH WITH 30" HEADGATES

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

GRAVITY FLOW FROM DIVERSION DICES

C. Works used to apply water to beneficial use.

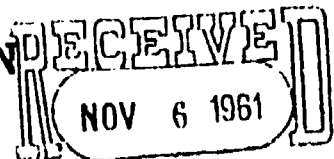
SERIES OF SPREADER DICES W/ 12"
CULVERTSThe system is in the following condition: GOODThe point of diversion is located POINTS 250' E & 120' S OF THE NW CORNER,
AND 3060' S AND 2300' E OF THE SAME CORNER, SEC. 34, T11N, R14EThe works are capable of diverting and conveying to the place of use UP TO 15 CFS.cu. 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 T11N, R14E

SECTION 27	SECTION 34
SW ¹ SW ¹ 5 ACRES	NW ¹ NW ¹ 16 ACRES
	NE ¹ NW ¹ 6 "
	SW ¹ NW ¹ 21 "
	SE ¹ NW ¹ 3 "
	NW ¹ SW ¹ 8 "
	NE ¹ SW ¹ 15 "

comprising a total of 74 acres of land.

Date JUNE 30, 1971Burton Jones
(Signature)WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

PROOF OF PUBLICATION

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTASTATE OF SOUTH DAKOTA }
County Meade } ss.

Morris G. Hallock being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to appropriate Water was taken from the

Black Hills 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 Sturgis of County of

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

October 7, 14, 21 and 28

in each and every issue of the full number thereof, the first publication being made on the 7 day of October

1961 and the last publication on the 28 day of

October 1961, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was the printer and publisher of the said newspaper.

Morris G. Hallock

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

Bob Lee
Notary Public Meade County, S. D.
My Commission Expires
April 12, 1968

No. 501-1
APPROPRIATION OF WATER
Office of State Water Resources Commission,
Pierre, South Dakota
September 25, 1961

Notice is hereby given that A. Wayne Vig whose postoffice address is Opal, S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.9 cubic feet of water per second of time from East and West Beaver Dam Creek, through the Vig Twin Creek Irrigation Project, the point of diversion of which is to be located on both banks of said stream between points in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 5, T 10N, R 14E, in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 34, T 11 N, R 14E, and a point in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Twp. 10N, Range 14E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27; NW $\frac{1}{4}$ and NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 31; T 11N, R 14E, SW $\frac{1}{4}$, Section 2; SE $\frac{1}{4}$, SE $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 4; NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$, and SW $\frac{1}{4}$, Section 11, NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section T10 N, R14E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1961, 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
Walter Right Specialist
Press Oct. 7-14-21-28

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

600-1
601-1
602-1

April 24, 1962

Lewis Lemmal
Mud Butte, S.D.

Emery Starnad
Faith, S.D.

Marie C. Bastian
Red Owl, S.D.

Walter Price
Faith, S.D.

Adelaid Quinn
Faith, S.D.

Joe Backus
Opal, S.D.

Orville Hanzlik
Mud Butte, S.D.

Nellie M. Tivis
Opal, S.D.

R. L. Hanzlik
Mud Butte, S.D.

You were present at the November 8, 1961 meeting of the State Water Resources Commission when the following water right applications were considered:

No. 600-1, A Shyne Vig, Opal

No. 601-1, Conk and Malina Vig, Mud Butte

No. 602-1, Patterson Holding Co., Mud Butte

This is to inform you that three water rights will be reconsidered by the State Water Resources Commission at 5 P. M. on May 2, 1962 at the Commission Office in Pierre, South Dakota.

These proposed irrigation systems, have been investigated in the field. Enclosed is a copy of the report which will be presented to the Water Resources Commission when these applications are reconsidered.

In those cases where approval of the water right or a portion of the water right is recommended, there is no question but that water in amounts greater than that needed for domestic use and for prior water rights, is available during some runoff periods.

South Dakota Water Laws specify that the State Water Resource Commission is to approve water right applications for this unappropriated water. Where domestic water supplies and prior water rights are involved, please note that the recommendations contain provisions to protect such prior water use.

2.

We had intended to contact some of you people when the field investigations were being made. However, as indicated by the enclosed report, a number of areas and watercourses were involved and it was decided that it would be advisable to assemble the information and recommendations before contacting you.

If you have additional information that you would like to have considered, please mail it in to me before the May 9, 1962 meeting.

Sincerely,

J. W. GRIMS

JWG:DD:la
Enc.

South Dakota
Department of
Water & Natural Resources

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

March 23, 1987

WAYNE VIG
OPAL, SD 57765

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

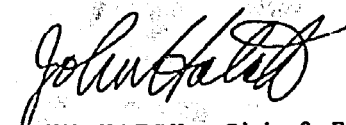
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 600-1 The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 600-1 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.



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

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

 **Department of
Water & Natural Resources**

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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: WAYNE VIG

OPAL, SD 57765

FROM: John Hatch, Chief Engineer
Water Rights Division
605 775-3352



SUBJECT: Amendment to Water Permit No(s). 600-1

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 600-1 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.

Attachment to Water Permit No. 600-1

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 600-1 to add the following qualification:

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

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.	
1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.	
3. Article Addressed to: WAYNE VIG ORAL SD 57765	4. Article Number P 576 309 751 Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COU ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X <i>Wayne Vig</i>	8. Addressee's Address (ONLY if requested and fee paid) <i>ORAL SD 57765</i>
6. Signature — Agent X <i>Wayne Vig</i>	
7. Date of Delivery <i>May 19 1987</i>	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

WAYNE VIG
BOX 50
OPAL SD 57765

NOTICE

RE: Violation of Water Permit No 600-1.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 600-1. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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 600-1 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 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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 600-1 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 is received in this office on/or before March 3, 1995, 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

THE UNIVERSITY OF CHICAGO PRESS

3. Article Addressed to: 16-2371
- WAYNE VIG
BOX 50
OPAL, SD 57765

5. Signature (Addressee)

6. Signature (Agent) *For Agent*
L. H. Galloway
1993 JUL 20

Consult postmaster for fee.

P75752642

4b. Service Type

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

7. Date of Delivery: 2-10-95

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

U.S. GPO: 1967-382-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

600-1

**Water Rights Division -DENR
Conversation or File Documentation**

NAME OF PERSON OR FILE: Barry Vig

ADDRESS: Box 50, Opal, SD 57765

COUNTY: Meade

DATE: March 6, 1995

TELEPHONE:

RE: type of system used under Water Right No. 600-1

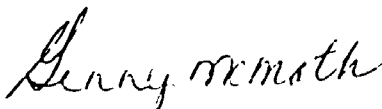
COMMENTS:

Mr. Vig called in reference to the "Notice" he received to submit the 1994 irrigation questionnaire. He stated that they had a water spreading system and would use the system when water was available.

I told him to disregard the "Notice" because water right holders with water spreading systems were not required to submit the annual irrigation questionnaire. He was worried about losing the water right if he failed to report. I explained to him that he would not lose his water right for not reporting each year. I also explained to him that the only way he could lose the water right was by abandonment or forfeiture.

He said that Wayne Vig was still the owner of the land. Wayne now lives at 2 Hub Road, Box Elder, SD 57719. Barry said he operated the land for his dad.

The water right was amended in 1987 to include the questionnaire qualification. The water right will need to be brought back before the Water Management Board to have the qualification deleted from the water right.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 29, 1995

NOTICE

TO: Wayne Vig, 2 Hub Road, Box Elder, SD 57719
Barry Vig, Box 50, Opal, SD 57765

FROM: John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Deletion of the Irrigation Questionnaire Qualification from Water Right No. 600-1

A hearing has been scheduled before the Water Management Board to consider deleting the "irrigation water use questionnaire" qualification from Water Right No. 600-1. The Water Management Board will consider this action at 10:00 am, October 4, 1995, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD 57501.

Water Management Board Rule 74:02:01:04.02 states that all irrigation permit owners **except** those with water spreading systems shall submit completed irrigation questionnaires on the forms mailed to them each year by the chief engineer. The basis for exempting water spreading systems from having to return irrigation questionnaires, is because there is no method for measuring the water used. It is our understanding, based on a review of your water right and a March 6, 1995, telephone conversation between Genny McMath, of this office, and Barry Vig, that the type of irrigation system used is strictly a water spreading system.

If the Board deletes the qualification from your water right which requires you to submit yearly irrigation questionnaires, you will no longer receive the annual questionnaire from our office. Deletion of the questionnaire qualification from your water right does not jeopardize your water right.

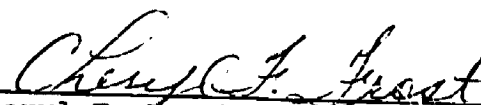
Please contact Genny McMath with the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to obtain further information on the proposed Board action to delete the questionnaire qualification; to assure access to the meeting room for the handicapped; or to request an interpreter for the hearing impaired.

CERTIFICATION

I hereby certify that on August 29, 1995, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated August 29, 1995, regarding Deletion of the Irrigation Questionnaire Qualification from Water Right No. 600-1, addressed as stated below:

Wayne Vig, 2 Hub Road, Box Elder, SD 57719.

Barry Vig, Box 50, Opal, SD 57765.

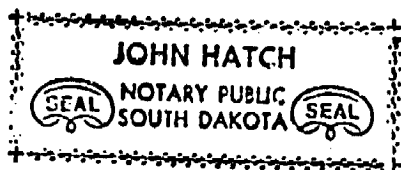

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)

COUNTY OF HUGHES)

SS

Sworn to, before me, this 30th day of August, 1995




Notary Public

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



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

October 5, 1995

NOTICE

TO: Wayne Vig, 2 Hub Road, Box Elder, SD 57719
Barry Vig, Box 50, Opal, SD 57765

FROM: John Hatch, Chief Engineer
Water Rights Program *John Hatch*

SUBJECT: Irrigation Questionnaire Qualification - Water Right No. 600-1

On October 4, 1995, the Water Management Board deleted the "irrigation water use questionnaire" qualification from Water Right No. 600-1. This action was taken as outlined in our Notice to you dated August 29, 1995.

Submission of yearly irrigation questionnaires will no longer be required. Deletion of the questionnaire qualification from your water right does not jeopardize your water right.

If you have any questions concerning the Water Management Board action, please contact Genny McMath with the Water Rights Program, at (605) 773-3352.

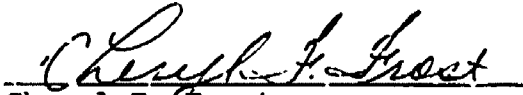
CERTIFICATION

I hereby certify that on October 5, 1995, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 5, 1995, regarding Deletion of the "Irrigation Water Use Questionnaire" qualification from Water Right No. 600-1, and Vested Water Right No. 1854-2, addressed as stated below:

W.R. #600-1: Wayne Vig, 2 Hub Road, Box Elder, SD 57719.

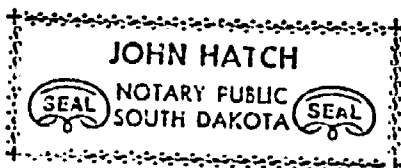
W.R. #600-1: Barry Vig, Box 50, Opal, SD 57765.

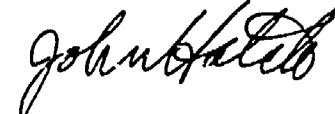
V.W.R. #1854-2: Dane Conger, Conger Ranch Partnership, HC 56, Box 99, Buffalo Gap, SD 57722.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of October, 1995




Notary Public

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