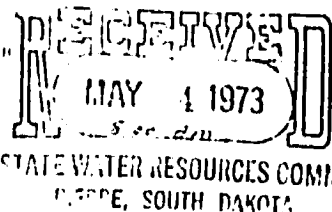


Water Right: Amber 984-1

1. Considered May 23, 19 73
2. Name of Applicant Gary R. and Rudolph Larson
3. Post Office Address Bison, S.D.
4. Amount of Water claimed 8.1
5. Source of Water supply Thunder Butte Creek, Smith Creek and a dry draw
6. Water to be used for irrigation
- Acres to be irrigated 570.00
7. Water to be diverted and used in Perkins County
about 2E 4S miles of BISON
8. Proof of Publication Received ~~100~~ 6-5-73
- Not Received _____
9. Application Approved _____
- Subject to _____
- Not Approved _____
- Action Deferred _____

10. Remarks:

Map No. 812-1 Water Division No. 1 MOREAU 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 Gary R. & Rudolph Larson
 Postoffice address Bison State South Dakota
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Triple L Irrigation Project No. 1
 4. Amount of water claimed (cubic feet per second) 8.1 cfs
 5. Source of water supply Thunder Butte Creek, Smith Creek, and dry draws
 6. Location of point of diversion See attached sheet

- County Perkins
 7. Annual period or periods during which water is to be used March 1 to December 1 each year
 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 570 Acres

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.
<u>See Attached Sheet</u>			

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 5 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. Pumps
 B. Works proposed to transport water to place of use. Pipelines
 C. Works proposed to apply water to beneficial use. Sprinkler systems

Estimated Total Cost \$ 30,000

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

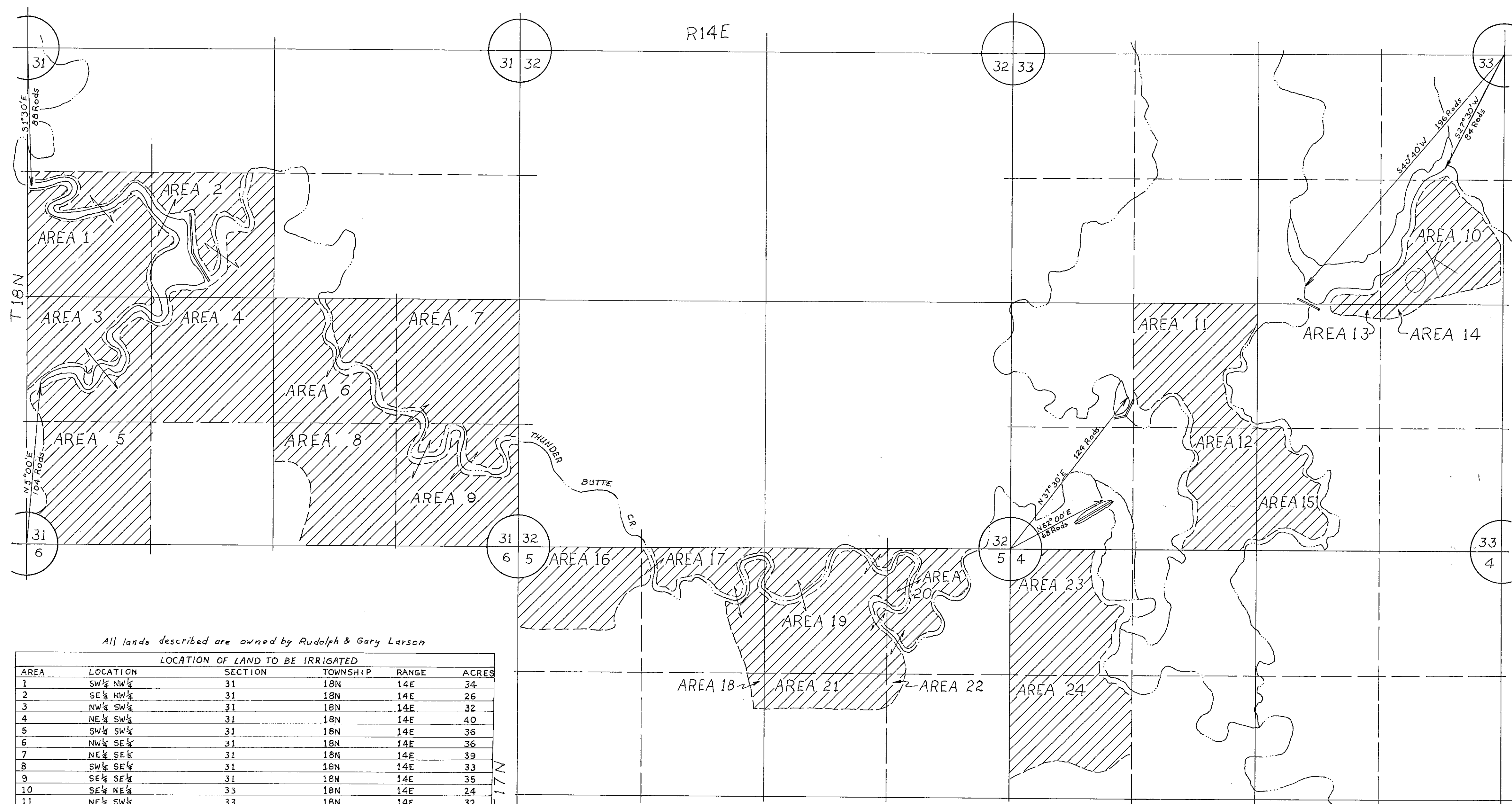
County of Perkins

I, Gary R. Larson and Rudolph Larson, 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.

Gary R. Larson Signed Rudolph Larson

Subscribed and sworn to before me this 21st day of April 1973

[Signature]
 Notary Public (or other qualified officer)



All lands described are owned by Rudolph & Gary Larson

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SW 1/4 NW 1/4	31	18N	14E	34
2	SE 1/4 NW 1/4	31	18N	14E	26
3	NW 1/4 SW 1/4	31	18N	14E	32
4	NE 1/4 SW 1/4	31	18N	14E	40
5	SW 1/4 SW 1/4	31	18N	14E	36
6	NW 1/4 SE 1/4	31	18N	14E	36
7	NE 1/4 SE 1/4	31	18N	14E	39
8	SW 1/4 SE 1/4	31	18N	14E	33
9	SE 1/4 SE 1/4	31	18N	14E	35
10	SE 1/4 NE 1/4	33	18N	14E	24
11	NE 1/4 SW 1/4	33	18N	14E	32
12	SE 1/4 SW 1/4	33	18N	14E	20
13	NW 1/4 SE 1/4	33	18N	14E	3
14	NE 1/4 SE 1/4	33	18N	14E	1
15	SW 1/4 SE 1/4	33	18N	14E	15
16	NW 1/4 NW 1/4	5	17N	14E	25
17	NE 1/4 NW 1/4	5	17N	14E	17
18	SE 1/4 NW 1/4	5	17N	14E	1
19	NW 1/4 NE 1/4	5	17N	14E	35
20	NE 1/4 NE 1/4	5	17N	14E	15
21	SW 1/4 NE 1/4	5	17N	14E	11
22	SE 1/4 NE 1/4	5	17N	14E	1
23	NW 1/4 NW 1/4	4	17N	14E	31
24	SW 1/4 NW 1/4	4	17N	14E	28
TOTAL					570

**TRIPLE L IRRIGATION PROJECT
NO. 1
(RUDOLPH & GARY LARSON)**

Perkins County, South Dakota
Keith L. Harner, Manager
West River Conservancy Sub-District

MAP NO 812-1 APPL NO 984-1



WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 984-1

GARY R. & RUDOLPH LARSON
(Applicant)

BISON
(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 121 ACRES FEET OF WATER ANNUALLY.

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

Date of first receipt of application MAY 4 19 73
Date of return to applicant for correction, amendments or changes required --- 19 ---
Date of receipt of corrected application --- 19 ---
Approved MAY 23 19 73 Recorded in Book 12 Page 219

WATER RIGHT PERMIT NO. 984-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 984-1 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 MAY 4 19 73
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 23 19 75
3. The whole of said work is to be completed on or before MAY 23 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 23 19 78
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 the appropriation herein granted shall not exceed 8.1 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 23 19 78 said water to be used during the following described annual period: MARCH 1 TO DECEMBER 1

Witness my hand this 7TH day of MAY 19 73

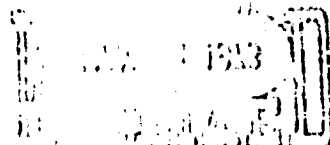
WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued --- 19 ---

Water License Issued --- 19 ---



TRIPLE L IRRIGATION PROJECT NO. 1

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SW ¹ / ₄ NW ¹ / ₄	31	18N	14E	34
2	SE ¹ / ₄ NW ¹ / ₄	31	18N	14E	26
3	NW ¹ / ₄ SW ¹ / ₄	31	18N	14E	32
4	NE ¹ / ₄ SW ¹ / ₄	31	18N	14E	40
5	SW ¹ / ₄ SW ¹ / ₄	31	18N	14E	36
6	NW ¹ / ₄ SE ¹ / ₄	31	18N	14E	36
7	NE ¹ / ₄ SE ¹ / ₄	31	18N	14E	39
8	SW ¹ / ₄ SE ¹ / ₄	31	18N	14E	33
9	SE ¹ / ₄ SE ¹ / ₄	31	18N	14E	35
10	SE ¹ / ₄ NE ¹ / ₄	33	18N	14E	24
11	NE ¹ / ₄ SW ¹ / ₄	33	18N	14E	32
12	SE ¹ / ₄ SW ¹ / ₄	33	18N	14E	20
13	NW ¹ / ₄ SE ¹ / ₄	33	18N	14E	3
14	NE ¹ / ₄ SE ¹ / ₄	33	18N	14E	1
15	SW ¹ / ₄ SE ¹ / ₄	33	18N	14E	15
16	NW ¹ / ₄ NW ¹ / ₄	5	17N	14E	25
17	NE ¹ / ₄ NW ¹ / ₄	5	17N	14E	17
18	SE ¹ / ₄ NW ¹ / ₄	5	17N	14E	1
19	NW ¹ / ₄ NE ¹ / ₄	5	17N	14E	35
20	NE ¹ / ₄ NE ¹ / ₄	5	17N	14E	15
21	SW ¹ / ₄ NE ¹ / ₄	5	17N	14E	11
22	SE ¹ / ₄ NE ¹ / ₄	5	17N	14E	1
23	NW ¹ / ₄ NW ¹ / ₄	4	17N	14E	31
24	SW ¹ / ₄ NW ¹ / ₄	4	17N	14E	28
TOTAL					570

POINTS OF DIVERSION:

On ThunderButte Creek: 58 rods S 15° 30' E from the NW corner of Sec. 31, T18N, R14E to 104 rods N 50° 00' E of the SW corner of Sec. 31, T18N, R14E to 68 rods N 62° 00' E of the SW corner of Sec. 33, T18N, R14E.

Dry Draw: 124 rods N 37° 30' E of the SW corner of Sec. 33, T18N, R14E.

Dry Draw: 84 rods S 27° 30' W of the NE corner of Sec. 33, T18N, R14E to 196 rods S 40° 40' W of the NE corner of Sec. 33, T18N, R14E.

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dug out Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The

location of each water storage dam should be shown on the water right map.

1. SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T18N, R14E

Height: 12 ft.

Max. Water Depth: 8 ft.

Surface Area: 12.3 Ac.

Storage Capacity: 39 Ac. Ft.

2. NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T18N, R14E

Height: 14 ft.

Max. water Depth: 10 ft.

Surface Area: 1.1 Ac.

Storage Capacity: 4 Acre Ft.

3. SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 33, T18N, R14E

Height: 20 ft.

Max Water Depth: 16 ft.

Surface Area: 12.2 Ac.

Storage Capacity: 78 Ac. Ft.

Signature of Applicant

Affidavit of Publication

STATE OF SOUTH DAKOTA,

County of Perkins

)
)ss.
)

Jane Boorman of said County and State being first duly sworn, on his oath says.

That the **LEMMON LEADER** is a weekly newspaper of general circulation, printed and published in Lemmon in said County and State, by the **LEADER PUBLISHING CO., INC.**, and has been such newspaper during the time hereinafter mentioned; and that I, Jane Boorman, the undersigned am editor of said Newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; that the advertisement headed NOTICE

INTENT TO APPROPRIATE WATER
a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for two successive weeks, the first publication being on the 10 day of May 19 73 and the last publication on the 17 day of May 19 73

The first publication being made on the 10 day of May 19 73
The second publication being made on the 17 day of May 19 73
The third publication being made on the day of 19
The fourth publication being made on the day of 19
The fifth publication being made on the day of 19
The sixth publication being made on the day of 19
The seventh publication being made on the day of 19
The eighth publication being made on the day of 19

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Perkins for more than fifty-two successive weeks prior to the first publication of said notice, and is printed in whole in an office maintained in Lemmon, South Dakota, the place of publication of said newspaper. That the full amount of the fees for the publication of the annexed notice is \$ 12.56 and inures solely to the benefit of said publishers; that no agreement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 1st day of June 19 73

Jane Boorman
Notary Public
My Comm. Expires
1-30-76

NOTICE INTENT TO APPROPRIATE WATER

No. 984-1
Publish first publication, on or before May 10, 1973

Pierre, South Dakota 57501
May 4, 1973

Notice is hereby given that Gary R. and Rudolph Larson whose post office address is Bison, 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 8.1 cubic feet of water per second of time from Thunder Butte Creek, Smith Creek and a dry draw through the Triple L. Irrigation Project No. 1, the point of diversion of which is to be located on Thunder Butte Creek between points in the SW 1/4 NW 1/4, Section 31 and in the SW 1/4 SW 1/4, Section 33, and from draws at points in the NW 1/4 SW 1/4, SW 1/4 NE 1/4 and NE 1/4 NE 1/4 of Section 33, Township 18N, Range 14E. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4 NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4, SE 1/4, Section 31; E 1/2 SW 1/4, S 1/2 NE 1/4, N 1/2 SE 1/4, SW 1/4 NE 1/4, Section 33, T18N, R14E; W 1/2 NW 1/4, Section 4; NE 1/4, N 1/2 NW 1/4 and SE 1/4 NW 1/4, Section 5 T17N, R14E. This application No. 984-1 will be considered by the Water Resources Commission at their office at Pierre upon the 23rd day of May, 1973, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION
By: s. Burton F. Jones
Burton F. Jones,
Water Rights Specialist
cc: Rudolph Larson, (Bison, S.D. 57623)
(Pub. May 10-73)

RECEIVED
MAY 5 1973
WATER RESOURCES COMM.
SOUTH DAKOTA

Publication Fee - \$.....

Received Payment,
.....

Publish first publication, on or before May 10, 19 73NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 4, 19 73Notice is hereby given that Cary R. and Rudolph Larsonwhose post office address is Bison, 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 use8.1 cubic feet of water per second of time from Thunder Butte Creek, Smith Creek ~~the~~ and a dry draw through theTriple L. Irrigation Project #1, the point of diversion of which is to be located within ~~within~~ on Thunder Butte Creek between points in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31 and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, and from draws at points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Twp. 18N, Range 14E. Said water to be used for the purpose of providing irrigation on portions of the following described land:S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S2 $\frac{1}{4}$, Section 31; E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, T18N, R14E; W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 4; NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T17N, R14EThis application No. 984-1 will be considered by the Water Resources Commission at their office at Pierre upon the 23rd day of May, 19 73, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Rudolph Larson, Bison, S.D. 57620



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 984-1

December 15, 1983

Gary R. Larson
Bison, South Dakota 57620

Dear Mr. Larson:

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. 984-1 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. Please indicate complete mailing address on return mail as postal regulations now require rural route, box or street address on all mail.

DWNR-814 8/83

SOUTH DAKOTA
Department of
Water & Natural Resources

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

SECOND NOTICE

March 16, 1984

Permit No. 984-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Gary R. Larson
Bison, South Dakota 57620

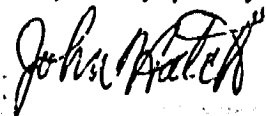
Dear Mr. Larson:

December 15, 1983 you were notified the final inspection fee of \$50.00 is due before Water License No. 984-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,



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

S508.WR

Equal Opportunity Employer

State of South Dakota
Water License No. 984-1

(1) Gary R Larson
of Box 337, Bison, South Dakota 57620
made Application No. 984-1, May 4, 1973 for a water permit to appropriate
8.1 cubic feet per second of water from Thunder Butte Creek and dry draw,
Perkins County, South Dakota for irrigation purposes.
Permit No. 984-1, with a priority date of May 4, 1973
was approved May 4, 1973 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 4, 1973 and for the application to beneficial use of said
water on or before _____.

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 1.55 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are dry draw: S 1/2 NE 1/4 (AC/D) Section
33; Thunder Butte Creek: SW 1/4 SW 1/4 (CC) Section 33; S 1/2 NW 1/4 (BC/D)
Section 31; all in T18N, R14E

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

Section 4, T17N, R14E

NW 1/4 NW 1/4 27.7 acres (BB)

SW 1/4 NW 1/4 28.0 " (BC)

Section 31, T18N, R14E

SE 1/4 NW 1/4 11.7 acres (BD)

NE 1/4 SW 1/4 35.2 " (CA)

NW 1/4 SW 1/4 1.6 " (CB)

SW 1/4 SW 1/4 31.6 " (CC)

135.8 acres

(1) Pursuant to §46-5-30.1 Gary R Larson

of Box 337

the holder(s) and/or owner(s) of Water Permit No. 984-1 is issued a license to appropriate water, the right to use 1.55 cubic feet per second of water from Thunder Butte Creek & dry draw with a priority date of May 4, 1973 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. 984-1 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

April 4, 1984

Permit No. 984-1Moreau 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 Gary R. Larson of Bison, SD holder ofPermit No. 984-1, bearing the priority of May 4 19 73 authorizing the diversion of 8.1 cu. ft. per second of the waters of Thunder Butte C. and dry draw for irrigation purposes, in Perkins County.

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

Dams:

A. Works used to divert the water:
motor: Perkins pump: Berkeley
6cyl. Diesel
C.A.V. S.N. 7376005
S.N. 16135 imp. 13 1/2 in.

B. Works used to transport water to place of use:
Pipeline: size - 8 in. 6 in.
type - Aluminum Aluminum
length - 1 mile 1 mile

C. Works used to apply water to beneficial use:
Hygromatic center pivot Pressure - 60-100 psi
2 towers Capacity - 700 gpm
length - 240 ft.
between towers ≈ 100 ft

	<u>S 1/2 NE 1/4</u> <u>sec 33</u>	<u>S 1/2 NW 1/4</u> <u>sec 31</u>	<u>SW 1/4 SW 1/4</u> <u>sec 33</u>
crest height	<u>15 ft</u>	<u>15 ft</u>	<u>20 ft</u>
crest length	<u>300 ft</u>	<u>520 ft</u>	<u>500 ft</u>
crest width	<u>10 ft</u>	<u>10 ft</u>	<u>15 ft</u>
spillway height	<u>10 ft</u>	<u>10 ft</u>	<u>16 ft</u>
spillway length	<u>150 ft</u>	<u>1000 ft</u>	<u>300 ft</u>
spillway width	<u>30 ft</u>	<u>300 ft</u>	<u>60 ft</u>
approx. storage	<u>50 ac-ft</u>	<u>20 ac-ft</u>	<u>45 ac-ft</u>

The system is in the following condition goodThe point of diversion is located Dry draw: S 1/2 NE 1/4 sec 33; Thunder Butte Creek;
SW 1/4 SW 1/4 sec 33; S 1/2 NW 1/4 sec 31; all in T 18 N, R 14 EThe works are capable of diverting and conveying to the place of use 1.55cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: T 17 N, R 14 E (Sec 4)
T 18 N, R 14 E (Sec 31)

<u>NW 1/4 NW 1/4</u>	<u>sec 4</u>	<u>Acres</u>	<u>NW 1/4 SW 1/4</u>	<u>sec 31</u>	<u>Acres</u>
<u>SW 1/4 NW 1/4</u>	<u>sec 4</u>	<u>27.7</u>	<u>SW 1/4 SW 1/4</u>	<u>sec 31</u>	<u>1.6</u>
<u>SE 1/4 NW 1/4</u>	<u>sec 31</u>	<u>28.0</u>	<u>SW 1/4 SW 1/4</u>	<u>sec 31</u>	<u>21.6</u>
<u>NE 1/4 SW 1/4</u>	<u>sec 31</u>	<u>11.7</u>			
		<u>35.2</u>			

comprising a total of 135.8 acres of land and the license should be issued for 1.55 cfs
~~7.94~~Applicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date Sept. 16, 1983

Ron Duvall
(signature)

LICENSE FOR PERMIT NUMBER 984-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 8 in 6 in
b) type Aluminum Aluminum
c) length 1 mile 1 mile

4. Dam Information: SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec 33

15 ft 15 ft a) height to crest 20 ft
10 ft 10 ft b) height to spillway 16 ft
10 ft 10 ft c) crest width 15 ft
300 ft 500 ft d) crest length 500 ft
150 ft 1000 ft e) spillway length 300 ft
30 ft 300 ft f) spillway width 60 ft
50 ac-ft 20 ac-ft g) approx. storage 45 ac-ft

SW $\frac{1}{2}$ NE $\frac{1}{4}$ sec 33 SW $\frac{1}{2}$ NW $\frac{1}{4}$ sec 31 h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

5. System Type: a) spheroid:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make Hydromatic
- 2) number of towers 2
- 3) distance between towers
≈ 100 ft
- 4) overall length 240 ft
- 5) Ent gun (Y/N)
- 6) high or low pressure high
- 7) make & size of nozzles
- 8) PSI reading while system is
running 60 - 100
- 9) GPM 700

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
<u></u>	<u></u>	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
<u></u>	<u></u>	2. Special Qualifications to permit being abided by.
<u></u>	<u></u>	3. All Structures, wells and lands on map.

REMARKS: motor : Perkins, 6cyl. Diesel
C.A.V.
S.N. 16135

pump : Berkeley
S.N. 7376005
Imp. 13 1/2 in.

RECEIPT

Division of Water Rights

No 4 9619

South Dakota Department of Water and Natural Resources

Pierre, March 30, 1984

RECEIVED OF Gary R. Larson, Box 337, Blson, SD 57620

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. 984-1	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 Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH/ms



No. 984-1

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

April 4, 1984

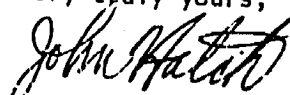
Gary R Larson
Box 337
Bison SD 57620

Dear Mr. Larson:

Enclosed herewith is, Water License No. 984-1. 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

*16
4/2/84*

WNR-817 3/83
Transmittal of Water License

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

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

March 22, 1987

GARY R. LARSEN
BOX 337
BISON, SD 57620

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). 984-1. 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). 984-1 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: GARY R. LARSON
BOX 337
BISCAN, SD 57620

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Amendment to Water Permit No(s). 984-1

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). 984-1 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. 984-1

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. 984-1 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.

☒ **Show to whom delivered, date and addressee's address.** **Form 2501 Restricted Delivery**

3. Article Addressed to: GARY R. LARSON BOX 337 BRISON, SD 57620	4. Article Number: R576301723 Type of Service: ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ COD
6. Signature - Addressee <i>R. Larson</i> 6. Signature - Agent <i>X</i> 7. Date of Delivery 5/15/87	8. Addressee's Address (ONLY if requested and see add'l fee) Box 337 Brison, SD 57620

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

South Dakota
Department of
Water & Natural Resources

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

January 29, 1988

GARY R. LARSON
BOX 337
HISON, SD 57620

NOTICE

Re: Violation of Water Permit No(s). 984-1

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 984-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 984-1 qualification:

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

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

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

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 984-1 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: GARY R. LARSON
BOX 337
BISON, SD 57620

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 984-1

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 984-1 be SUSPENDED until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

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
(Extra charge)

GARY R. LARSON
BOX 337
BISON, SD 57620

4. Article Number
P-501 738 993

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ CUD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

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

X Gary Larson
6. Signature - Agent
X
7. Date of Delivery



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

GARY R. LARSON
BOX 337
RISON SD 57620

NOTICE

RE: Violation of Water Permit No(s) 984-1

Our record indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 984-1. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 984-1 qualification:

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

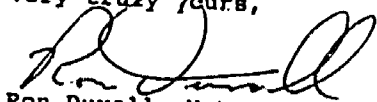
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 984-1 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 March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,


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

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

984-1

GARY R. LARSON
BOX 337
BISON, SD 57620

4a. Article Number

P 906 557 260

4b. Service Type

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

7. Date of Delivery

5. Signature (Addressee)

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

6. Signature (Agent)

Sarah Storm 1-31-92

PS Form 3811, November 1990 • U.S. GPO: 1991-297-066

DOMESTIC RETURN RECEIPT



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 1992

NOTICE OF THREE YEAR SUSPENSION OF WATER RIGHT

TO: Gary R Larson
Box 337
Bison, SD 57620

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

SUBJECT: Three Year Suspension of Water Right No. 984-1

Pursuant to the provisions of the Notice dated January 27, 1992, and following the hearing of March 4, 1992, the Water Management Board has ordered:

That Water Right No. 984-1 be SUSPENDED until December 31, 1994. Suspension of the water right does not excuse the water right owner from the requirement to submit the 1991 irrigation questionnaire.

Failure to return the 1991 irrigation questionnaire was the second violation of Water Right No. 984-1. SDCL 46-1-12 states that the Board may suspend a permit or license for up to three years for the second violation.

Suspension of the water right means water may not be pumped during the 1992, 1993 and 1994 irrigation seasons. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you want to petition the Water Management Board to rescind the suspension, you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 6-7, 1992 in Pierre. The letter should include your reasons for not completing the questionnaire prior to the March Board meeting.

Water Rights Division - DWR
Conversation or File Documentation

File No. 984-1

NAME OF PERSON OR FILE: GARY L. LARSON

ADDRESS: Bison COUNTY PICKENS

DATE: 6/23/93 TELEPHONE _____

RE: SUSPENDED PERMIT INSPECTION

COMMENTS:

I VISITED Mr. LARSON'S FARM. I TALKED TO HIM ABOUT
HIS PERMIT BEING SUSPENDED 17 FEB 1993 AND 1994. HE SAID
HE WOULD NOT CONTEST. I TOLD HIM IT WAS IMPORTANT FOR
HIM TO ANSWER THE QUESTIONNAIRE EVEN IF THERE WAS NO
WATER ON THE PROPERTY.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: [Signature]



February 4, 1997

984-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: GARY R. LARSON, BOX 337, BISON, SD 57620

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

SUBJECT: Violation of Water Permit No(s). 984-1

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 984-1. The request for the Questionnaire 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 determine the action to be taken for violation of Water Permit No(s) 984-1 qualification:

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

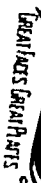
The hearing will be held at 2:30 pm, March 5, 1997 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, 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) 984-1 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 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 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.

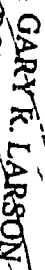


JOE FOSS BUILDING

ADDRESS CORRECTION REQUESTED

P 378 080 545

MAIL



~~BOX 337~~
~~BISON SD 57620~~

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SENDER:

Is your RETURN ADDRESS completed on the reverse side?

- 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.

3. Article Addressed to:

GARY R. LARSON
BOX 357
BISON SD 57620

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

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

Consult postmaster for fee.

4a. Article Number

P378 080 545

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

SENDER

Complete items 1 and 2 for additional service.
a) Complete items 3, 4, 5, and 6.
b) Print your name and address on the reverse of this form so that we can return the article to you.
c) Attach this form to the front of the package, or on the back if space does not permit.
d) The "Return Receipt for Merchandise" on the package before the article number.
e) The "Return Receipt" will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

GARY R. LARSON
BOX 337
BISON SD 57620

5. Received By: (Print Name)

8. Signature (Addressee or Agent)
X

PS Form 3811, December 1964

4b. Service Type
378 080 545

4a. Article Number
Registered
Express Mail
Return Receipt for Merchandise
COD
Insured

7. Date of Delivery

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

1. ☐ Addressed to Addressee
2. ☐ Restricted Delivery
Consult postmaster for fee.

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

Thank you for using Return Receipt Service.

Domestic Return Receipt

984-1

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Gary Larson

ADDRESS: Box 337, Bison, SD 57620

COUNTY: Perkins

DATE: March 17, 1997

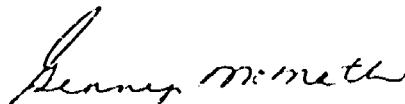
RE: 1996 irrigation questionnaire

COMMENTS:

On February 4, 1997, a notice of Violation of Water Permi' was sent to Mr. Larson. The notice scheduled a hearing before the Board for possible cancellation of his water right for failure to submit the 1996 irrigation questionnaire.

On March 10, 1997, the notice was returned by the postoffice marked "unclaimed". Since Mr. Larson did not pick up the mail, the matter could not be heard by the Board due to improper notice.

On March 17, 1997, Mr. Larson sent in his 1996 irrigation questionnaire. Submission of the questionnaire kept the matter from being rescheduled for hearing at a later date.



Genny McMath
Environmental Scientist



984-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3131
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: GARY R LARSON, BOX 337, BISON, SD 57620

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 984-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 984-1 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 3, 1999 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) 984-1 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 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 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.



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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

RETURN SERVICE REQUESTED



- ☐ Forwarding Order Expired
☐ Incomplete Address
☒ Moved, Let. No Address
☐ Unclaimed ☐ Refused
☐ Attempted - Not Known
☐ No Such Street
☐ No Such Number
☐ No Receipt
☐ Declared
☐ Vacant

~~GARY R LARSON
BOX 337
BISON SD 57620~~

CERTIFIED

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IVAF



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12-12-99

984-1

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- *Complete items 1 and/or 2 for a: Return service.
- *Complete items 3, 4a, and 4b.
- *Print your name and address on the reverse of this form so that we can return the card to you.
- *Attach the form to the front of the package, or on the back if space does not permit.
- *Write "Return Receipt Requested" on the package 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:

GARY R LARSON
BOX 337
BISON SD 57620

4a. Article Number

2119141584

4b. Service Type

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

7. Date of Delivery

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

102582-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 1999

984-1

Gary Larson
Box 337
Bison, SD 57620

Dear Mr. Larson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 984-1.

I completed a questionnaire for you based on our March 1st telephone conversation. 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 McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

faxed to Mr. Larson at (605) 244-7414

NOT TO SCALE

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2-283R

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J.A. Penon

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Gary Larson

61.6

Hannah Larson

Gary Larson

7.5

25.8



984-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 9, 2009

NOTICE

TO: GARY R LARSON, BOX 337, BISON, SD 57620

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 984-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 984-1 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 11, 2009** 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) 984-1 in accordance with applicable provisions of SDCL 46-1-12; **Due to past violations, Water Rights Staff will be recommending to the Board that the irrigation portion of the water right be cancelled;**
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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.

984-1

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 7712

Associated Label/Receipt:

Detailed Results:

- Notice Left, February 20, 2009, 9:14 am, BISON, SD 57620
- Acceptance, February 09, 2009, 1:11 pm, PIERRE, SD 57501

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No FEAR Act EEO Data

FOIA

Signature Confirmation fee must be paid before mailing.

Postage

GARY L LARSON
BOX 337
BISON SD 57620

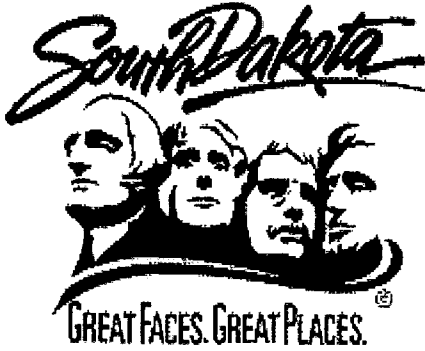
Waiver of Signature

Postmark Here

RECEIPT CUSTOMER:
Keep this receipt. For inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail[®] Service
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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 7712



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

NOTICE

February 20, 2009

984-1

Gary L Larson
Box 337
Bison SD 57620

Dear Mr. Larson:

Enclosed is a "Notice" dated February 9, 2009 concerning a violation of the reporting requirement for Water Right No. 984-1. The "Notice" was delivered to the Post Office in Bison awaiting your signature. Since you may or may not have signed for the mail yet and received the notice, it is being sent to you by regular mail.

As long as the irrigation questionnaire is returned to our office prior to March 11, 2009, no action will be necessary by the Board. If the questionnaire is not received, the irrigation portion of the water right will be subject to cancellation.

If the irrigation portion of the water right is cancelled, the water right will be reissued to remove the irrigation component and authorize storage of water for domestic purposes.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program
605 773-3352

CERTIFICATION

I hereby certify that on February 20, 2009, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 20, 2009 regarding delinquent irrigation questionnaires addressed as stated below:

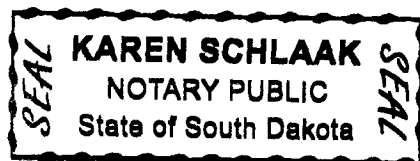
Gary L Larson, PO Box 337, Bison SD 57620 **984-1**
Robert Emmick, 45345 311th St., Meckling SD 57044 **5658A-3**

Gail Jacobson
Gail Jacobson
Secretary
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20th day of February, 20 09.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2013





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 12, 2009

NOTICE

TO: Gary R Larson, Box 337, Bison SD 57620

FROM: Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352 *Garland Erbele*

SUBJECT: Cancellation of the irrigation portion of Water Right No. 984-1

Pursuant to the provisions of the notice dated January 23, 2009 and following the March 11, 2009 hearing, the Water Management Board has ordered:

- **Effective April 11, 2009, the irrigation portion of Water Right No. 984-1 be CANCELLED for failure to submit the 2008 irrigation questionnaire.**
- ***If the 2008 irrigation questionnaire is received prior to April 11, 2009, the cancellation will not take effect. If the questionnaire is not received and the cancellation does take affect, the water right will be reissued to remove the irrigation component and authorize storage of water for domestic purposes only.***

Failure to return the 2009 irrigation questionnaire was the third violation of Water Right No. 984-1. SDCL 46-1-12 states that the Board may cancel a permit or license for the third violation.

Pursuant to SDCL 46-5-36 and 46-5-37, the Board can also cancel a water right for abandonment and/or forfeiture for nonuse, unless legal excuse exists for the years of nonuse. Enclosed are excerpts of the water laws and Water Management Board Rules dealing with these issues.

A review of your water right indicates the land was last irrigated in 1991. If you feel legal excuse exists and wish to maintain your water right, you must submit the 2008 irrigation questionnaire by April 11th along with a narrative describing the reasons no irrigation has taken place since 1991. Based on the reasons for non-use, the Water Rights Program may bring the matter before the Water Management Board to have them make a formal ruling on the validity of the water right.

Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 12, 2009, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2009 regarding cancellation, suspension and amendments of Water Rights addressed as stated below:

Cancelled

Thomas Corrio, 33551 480th Ave., Jefferson SD 57038 5313-3

Gary R Larson, PO Box 337, Bison SD 57620 984-1

3 year suspension

Edward Patrick Henry, PO Box 11, White Clay NE 672-2

1 year suspension

Mike Slocum, Lakes Golf Course, 19 Golf Dr., Wentworth SD 57075 6055-3

Brad Kronz, McCook Country Club, PO Box 129, Salem SD 57058 5222-3 & 6874-3

Donald T & Katherine A Miller, 13217 Wilson Cemetery Rd., Newell SD 57760 1653-1

Duane Rogers, Administrator, 13575 383rd Ave., Aberdeen SD 57401 2943-3

Amendment to Water Right

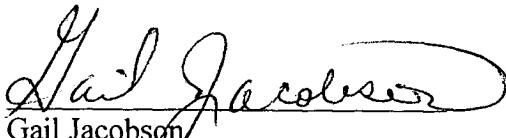
Steven Ching, 46577 188th St., Castlewood SD 57223 3224-3

Emily Stadheim Revocable Trust, 504 11th Ave N, Hettinger ND 58639 1055-1

Kent Wientjes, River Bottom Cattle Co., LLC, PO Box 96, Mobridge SD 57601 1012-1

Soderquist Family Ranch Limited Partnership, 17965 Baseline Rd., Wasta SD 57791 618-2

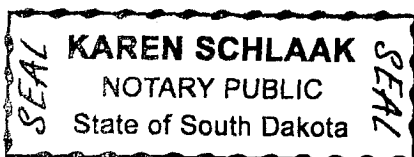
Fred Wientjes, PO Box 127, Mobridge SD 57601 1067-1


Gail Jacobson
Secretary
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of March, 2009.


Karen Schlaak
Notary Public
My Commission expires April 1, 2013



Licensing of Irrigation Water Right for Stock Watering

NAME: Gary L Larson

ADDRESS: Box 337, Bison SD 57620-0337

DATE: April 16, 2009 **COUNTY:** Perkins

BOARD ACTION:

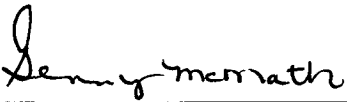
Pursuant to SDCL 46-1-12, on March 11, 2009 and effective April 11, 2009 the Water Management Board took action to cancel the irrigation component of Water Right No. 984-1 due to a third violation of the irrigation questionnaire qualification.

AUTHORITY

Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

RECOMMENDED ACTION

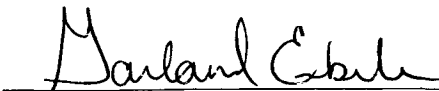
Based on the Board action to cancel the irrigation portion of the water right, it is recommended that the water license be re-issued for stock watering.



Genny McMath
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

The addition of stock watering does not impair existing water rights and no diversion of water will be made from the storage dams. Licensing of the water right for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 15 2009

984-1

Gary R Larson
Box 337
Bison SD 57620-0337

Dear Mr. Larson:

Enclosed is your reissued Water License No. 984-1.

The Water Management Board took action on March 11, 2009 which became effective April 11, 2009 to cancel the irrigation portion of the water right. The action was taken for failure to return the 2008 irrigation questionnaire which was the third violation of the water right.

The enclosed license authorizes impoundment of water for domestic use. As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 984-1

(1) Gary R Larson, Box 337, Bison SD 57620-0337 was issued Water License No. 984-1, April 4, 1984 for a water right to divert 1.55 cubic feet of water per second from storage dams on a dry draw and Thunder Butte Creek, Perkins County, South Dakota for irrigation purposes. Water License No. 984-1, with a priority date of May 4, 1973 was issued to the permit holder for diversion of water with construction of the water supply system and the application of water to beneficial use completed.

Water Management Board action taken on March 11, 2009 and effective April 11, 2009 cancelled the irrigation portion of the water right. The action taken pursuant to SDCL 46-1-12 was for the third violation of the irrigation questionnaire qualification.

Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to a license provided no diversion is made from the dam. The Chief Engineer made a finding that the addition of stock watering does not impair existing water rights.

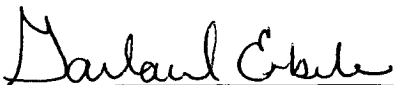
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Gary R Larson, Box 337, Bison SD 57620-0337 the holder and/or owner of Water Right No. 984-1 is issued a license, bearing a priority date of May 4, 1973 to impound 115 acre feet of water in three storage dams on a dry draw and Thunder Butte Creek for domestic livestock watering purposes.

The storage dams are located:

- On a dry draw: S ½ NE ¼ Section 33, T18N, R14E (approximate storage – 50 acre feet);
- On Thunder Butte Creek: SW ¼ SW ¼ Section 33, T18N, R14E (approximate storage – 45 acre feet);
- On Thunder Butte Creek: S ½ NW ¼ Section 31, T18N, R14E (approximate storage – 20 acre feet)

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 984-1 including the following qualification:

- Low flows as needed for downstream domestic use including livestock water and prior water rights must be bypassed.



Garland Erbe, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JUN 15 2009

date

