

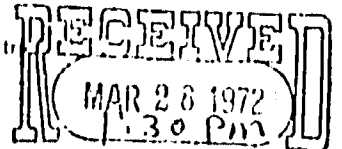
Water Right Number 1107-2

1. Considered MAY 17, 1972
2. Name of Applicant STANLEY HANSON
3. Post Office Address MILLBORD, S.D.
4. Amount of water claimed 3.00
5. Source of water supply KEYAPAH RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 233.50
7. Water to be diverted and used in TRIPP County
about 17 S 13 W Miles 13 of WINNER
8. Proof of Publication
Received 13
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

SEE LETTERS

No. 1107-2Map No. 940-2 Water Division No. 2 KEYAPAH RIVER

(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Stanley Hanson
 Postoffice address Millboro State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of owners, or by direct labor) contract and direct labor
3. Name of diversion work Hanson Irrigation Project
4. Amount of water claimed (cubic feet per second) 3.0
5. Source of water supply Keyapaha River
6. Location of point of diversion Between a point 2360' South and a point 2620 ft. South and 1400 ft. East of the NW Corner, Section 18, T96N, R78W
- County Tripp
7. Annual period or periods during which water is to be used March thru October
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 233.5

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>N$\frac{1}{2}$, Sec. 18, T96, R78</u>	<u>233.5</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 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Winner Advocate, Winner, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Pump and motor

Applicant proposes to pump from Keyapaha River into storage dam during flood periods, and to release water from storage.

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

Mainline

C. Works proposed to apply water to beneficial use.

Sprinkler System

Perhaps some gravity

Estimated Total Cost \$ _____

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

Hughes

County of _____

I, Stanley Hanson

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

Signed Stanley HansonSubscribed and sworn to before me this 28th day of March 19 72

Notary Public (or other qualified officer)

Betty Westlund, Technical Assistant
Water Resources Commission

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1107-2

STANLEY HANSON
(Applicant)

MILLBORO
(Post Office Address)

SOUTH DAKOTA
(State) With the following modifications:

THIS PERMIT AUTHORIZES THE DIVERSION OF WATER FROM THE KEYAPAH RIVER FOR EITHER IRRIGATION TO THE LAND DIRECTLY, OR FOR OFF-STREAM STORAGE UNTIL JUNE 15 OF EACH CALENDAR YEAR. AFTER JUNE 15 THERE SHALL BE NO DIVERSION OF WATER FROM THE KEYAPAH RIVER UNDER THIS PERMIT UNLESS SUCH WRITTEN AUTHORIZATION IS ISSUED BY THE STATE WATER RESOURCES COMMISSION, OR ITS LEGALLY APPOINTED REPRESENTATIVE. DIVERSIONS UNDER THIS PERMIT SHALL BE IN ACCORDANCE WITH ANY WRITTEN ORDERS ISSUED BY THE COMMISSION OR ITS REPRESENTATIVE. APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 50 ACRE FEET OF WATER ANNUALLY.

Date of first receipt of application MARCH 26 19 72

Date of return to applicant for correction, amendments or changes required --- 19 ---

Date of receipt of corrected application --- 19 ---

Approved MAY 17 19 72 Recorded in Book 12 Page 11E

WATER RIGHT PERMIT NO. 1107-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1107-2 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 a right is MARCH 26 19 72.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 17 19 74.
3. The whole of said work is to be completed on or before MAY 17 19 77.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 17 19 81.
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 3.0 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 17 19 81; said water to be used during the following described annual period: MARCH THRU OCTOBER

Witness my hand this 30TH day of JUNE 19 72

WATER RESOURCES COMMISSION

By

Spill Binder
Chief Engineer, Executive Officer

Certificate of Construction Issued --- 19 ---

Water License Issued --- 19 ---

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. Dugout 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) _____

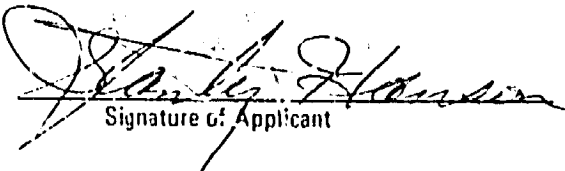
- (2) Distance to nearest existing household or livestock watering wells.

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.

Approx. 15 ft. high
Approx. 10 surface acres
Approx. 50 acre feet.


Signature of Applicant

No. 1107-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Tripp) ss.

I, N. L. Johannsen hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Winner Advocate

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

city of Winner

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

April 5, 1972

April 12, 1972

April 19, 1972

April 26, 1972

N. L. Johannsen
(Signature)

Publisher
(Title)

April 27, 1972
(Date Signed)

No. 1107-2

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

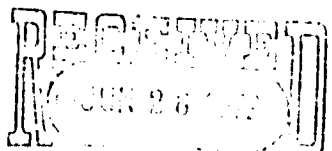
March 29, 1972

Notice is hereby given
that Stanley Hanson whose post
office address is Millboro, 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 3.0 cubic feet of
water per second of time from
the Keyapaha River through the
Hansons Irrigation Project, the
point of diversion of which is to
be located in the SW 1/4 NW 1/4 of
Section 18, Twp. 96N, Range 78W.
Said water to be used for the
purpose of providing irrigation
on the following described land:
N 1/2, Section 18, T96N, R78W.

This application No. 1107-2 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 17th day
of May, 1972, at 2:00 p.m. All
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION

By Burton F. Jones
BURTON F. JONES, Water
Rights Specialist (14-17)



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

1107-2

Publish first publication, on or before April 20, 19 72

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 29, 19 72

Notice is hereby given that Stanley Hanson
whose post office address is Millboro, 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
4.0 cubic feet of water per second of time from the Keyapaha River through the
Hanson Irrigation Project, the point of diversion of which is to be located in the

SW 1/4 NW 1/4
of Section 18, Twp. 96N, Range 78W. Said water to be used for the purpose
of providing irrigation on a portion of the following described land:

N 1/2 Section 12, T96N, R78W

This application No. 1107-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 17th day of May, 19 72, at 2:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

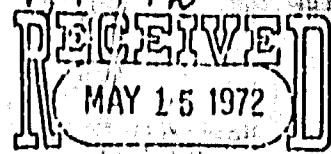
By:

HURTON F. JONES, Water Rights Specialist

cc: Stanley Hanson, Millboro, S.D. 57554

Millboro May 9, 1972

Mr. Burton F. Jones
Water Rights Specialist
Dear Sir-



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Last week a neighbor circulated a petition against the applications { one for 6,000 cubic feet per second
{ one for 3,000 cubic feet per second from the Koga Paha River in Tripp County S. Dakota to be heard in Pierre May 17, 1972 at 2 P.M.

We have no arguments against anyone wanting to irrigate but are afraid that the river cannot stand the pressure of that amount so we are just writing in self defense.

We have lived near this river since 1909 and we have 2 pastures which depend upon the water for live stock.

The river has its ups and downs but generally very low in summer just when needed for irrigation.

There are small irrigation systems here mostly about 50 acres more or less.

My neighbor last summer had a lot of trouble because of insufficient water as the green algae moss clogged his pump. He finally placed a sand bag dam to divert all the flow to his pump.

A few years ago a group of neighbors made a sand bag dam in the river before it went dry to store a little water for recreation for the children at a Community Park north of Millboro S. Dak. The river finally went dry east of the park and we had to release some of the water we had stored.

While the river was still running to appease the delegations from the dry river below who did attend. Lyham etc, others can abuse farmers & ranchers as when the water supply is cut off from their live stock. Peaceful neighbors & friends are no longer friendly. Even the pump irrigation from private wells in Nebraska they say has lowered the ground water level causing neighbors wells to go dry.

all live streams and lakes and all nature and have received S. Dakota State awards from IZAAK WALTON LEAGUE, Pheasant Unlimited etc, for making wild life dams & deigouts surrounded by trees and fenced stock tight so that cannot see any good to come to the Keyapaha Valley. by drying up the scenic river, killing the trees and shrubs along the banks, and last but not least making misery for the many ranchers who depend upon the live stock water.

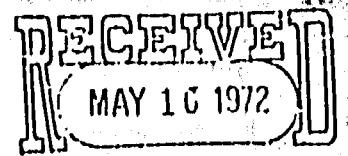
Small irrigation systems might not hurt so much? But 9 cubic feet per second from a river I don't know? Maybe you do? About a week or so after the river flow stops the small pools remaining get a stale odor.

They tell me irrigation must stop if water level reaches a low stage. But they also tell me this law is hard to enforce after some one has spent huge sums for equipment so I think to better to have a little foresight and leave nature alone. Do you suppose the applicants would settle for less cubic feet? Thanking you.

Signed (Walter Hellmann for
Peace in the (Keyapaha) Valley.

Pine Ridge, S.D. 57770
May 13, 1972

Chairman
Water Resources Commission
Pierre, South Dakota 57501



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Dear Sir:

On May 17, 1972 your commission is going to review two requests to appropriate water from the Keyapaha River. I regret that I will not be able to be present because of other responsibilities and the necessary expense involved.

But I want to express my strongest opposition to these requests for the following reasons:

1. I am dependent upon the Keyapaha River for watering livestock.
2. In times of greatest need for irrigation water, the Keyapaha River can only provide water for livestock and other animal life.
3. Because of the use of insecticides, etc., there is a very great danger that a greatly reduced flow will not be able to dilute the poisons and in fact become a source of poison for all animal life which drinks from it..
4. A reduced flow in the river will result in reducing plant life now found along the river.
5. At this particular time, there is adequate food being produced in this country. In fact, we are now paying large amounts of money to reduce crop production.

6. Massive farming of land along this river will result in more erosion. This has happened already on some of this land. It is our responsibility to preserve the land for future generations.

7. Since this river can not meet the water needs which are being requested, there will be a continual need for court action to preserve the rights and needs of those who are now dependent upon the flow of the river.

Therefore, I would recommend that the Commission not approve these requests. There should be a study carried out over time to determine the actual flow throughout the year. Experimentations should be carried out by a State and/or Federal Agency to determine all effects that would result in any diversion of the water flow on both plant and animal life. If necessary, legislation needs to be enacted which would secure the rights of all users of this river resource.

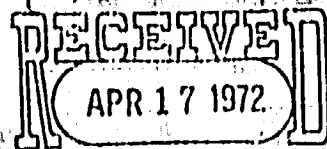
Sincerely,

Don Swartz
Don Swartz

South Dakota
Water Resources Comm.,
Pierre, S.D.

Barton F. Jones
Water Right Specialist:
Deaf S.D.

Clearfield, S.D.,
April 13 1972



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Having seen and talked to people from the Shell-boro & Wicoba area in 1934, when the Kegonsa river went dry, it seems I have to write you regarding the following proposed irrig. projects and any other from the same stream.

I refer specifically to the Hanson Irrig. proj. Application no. 1107-2 and the Sargent Irrig. proj. Application no. 1108-2.

I own & operate no land adjoining the Kegonsa river & even live upstream from these proposed projects but due to the amount of land they propose to irrigate & with the equipment available these days they could back that good stream dry.

We talk of our environment, & I think of fish, ducks, and many other animals & birds which depend on a living stream in order to make it as it then I think I should write you regarding this irrigation which is only for making more money.

With Respect & for your consideration

A 59 year resident & citizen of S.W. Twp. Co.

Frank M. Jones
Clearfield, S.D.

Clearfield, South Dakota
April 13, 1972

Water Resources Commission
State Capitol Building
Pierre, South Dakota 57501

ATTN: Mr. Burton F. Jones
Water Rights Specialist
RE: Application No. 1107-2
Stanley Hanson, Millboro, South Dakota

RECEIVED
APR 18 1972

STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Dear Mr. Jones,

In the April 5, 1972 issue of the Winner Advocate, read a Notice Intent to Appropriate Water. This is of prime interest to us since the Keya Paha River has been unusually low the past three years because of the lack of moisture in our area.

We depend entirely on this river for watering of our livestock. The river flows through the most of our pastures and is our only source of water.

The total supply of water for our farm use, personal and livestock, comes from a shallow well about 1/8 mile from the Keya Paha River. In past years we have found it impossible to get water by drilling near our buildings; therefore, we found it plausible to force pump it that distance.

There have already been some irrigation permits issued. We have heard of a few other interested persons. We also know of a permit that has been issued on Sand Creek above us. The small springs and short moisture typical of our area cannot resupply the water needed to keep this river flowing. In the interest of about thirteen family farms along this river who live and depend on the Keya Paha River, it seems that irrigation permits are not in order.

We know from experience the heartaches and community troubles that have arisen in and around Mills, Nebraska over water rights out of the Keya Paha River. Not only people who depend on the river bed itself but the ranchers on higher ground have found their wells have gone dry. How can a rancher raise cattle, sheep or hogs with a short or non-existent water supply? If you'd like to check into this situation further, we would be happy to supply names that are still seeking answers to their problems derived from a few aggressive irrigators near Jason and Mills.

The irrigation wells in McNeely and Wilson townships are creating problems for neighboring farms.

It is our sincere hope that you will look into this situation from a ranchers point of view. There is no way people in this area can make a living from farming. These irrigation permits will satisfy a few fellows like the frosting on the cake. There will be a LOT of fellows who will find it necessary to live on the cake, many more the crumbs and some will starve out and move away.

Please advise us immediately as to what action will be necessary to stop such permits from being allowed. We would be pleased if you would make a special effort to see this situation for yourself.

Very sincerely yours, *Edlow E. Williams*
WILLIAMS BROTHERS *James C. Williams*

PETITION

To Mr. Burton F. Jones
Water Rights Specialist
South Dakota Water Resources Commission

In view of the dropping water level of the area rivers and creeks during the last three years, the threat of the river going dry during the summer months, the many wells that have been losing their supply of water and the necessity of many people to depend on the Keyapaha River for livestock water we the undersigned landowners, operators and interested citizens who are interested in retaining one of our most valuable resources, "Water" do hereby recommend that the South Dakota Water Resources Commission reject the following applications to appropriate water from the Keyapaha River:

Application No. 1107-2 by Stanley Hanson, Millboro, South Dakota to appropriate 3.0 cubic feet per second from the Keyapaha River through the Hensons Irrigation Project.

Application No. 1108-2 by Kenneth Sargent, Clearfield, South Dakota to appropriate 6.00 cubic feet per second from the Keyapaha River through the Sargent Irrigation Project

Victor J. Henshaw Weale S.D. NW 1/4 25-95-76 5-5-72
 Clara Valley Millboro S.D. SW 1/4 18-95-76 5-5-72
 Frances Lazarowicz Colome S.D. S.W. 1/4 9-95-76 5-5-72
 Mary Lazarowicz Colome S.D. S.W. 1/4 9-95-76 5-5-72
 Bernard Foster Millboro S.D. NE 1/4 9-95-76 5-5-72
 Frank Ticker Weale S.D. NE 1/4 23-95-76
 Doyle Haley Millboro S.D. SE 1/4 9-95-77
 Lawrence Jensen Millboro S.D. SE 1/4 9-95-76
 Viki Jensen Millboro S.D. SE 1/4 20-95-76
 Vernon Kaiser Millboro S.D. NW 31-96-77 5-7-72
 Mrs. Frank Miller Weale S.D. SE 1/4 22-95-76 5-10-72
 Harry W. Coulson Colome S.D. NW 32-96-76 5-10-72
 Donald Tranquist Weale S.D. NW 31-95-75 5-11-72
 Mrs. Donald Tranquist Weale S.D. NW 31-95-75 5-11-72
 Perry Luse Weale S.D.
 Everett Albright 542 Jefferson St. Weale S.D. NW 1/4 11-95-77 5-17-72
 R. M. Albright 542 Jefferson St. Weale S.D.

PETITION

To Mr. Burton F. Jones
Water Rights Specialist
South Dakota Water Resources Commission
Pierre, South Dakota

In view of the dropping water level of the area rivers and creeks during the last three years, the threat of the river going dry during the summer months, the many wells that have been losing their supply of water and the necessity of many people to depend on the Keyapaha River for livestock water we the undersigned landowners, operators and interested citizens who are interested in retaining one of our most valuable resources, "Water" do hereby recommend that the South Dakota Water Resources Commission reject the following applications to appropriate water from the Keyapaha River;

Application No. 1107-2 by Stanley Hanson, Millboro, South Dakota to appropriate 3.0 cubic feet per second from the Keyapaha River through the Hansons Irrigation Project.

Application No. 1108-2 by Kenneth Sargent, Clearfield, South Dakota to appropriate 6.00 cubic feet per second from the Keyapaha River through the Sargent Irrigation Project.

Elmer E. Williams Clearfield S.D. DW-33-96-78 13 May 1972
Richard Woffe Clearfield S.D. NW-25-96-78 13 May 1972
Maurice Kramer Clearfield S.D. SE 9-96-77 13 May 1972
Mrs. Fern Kramer Clearfield S.D. SE 9-96-77 May 13-1972
Clyde A. Hansen Colome S.D. SE 19-96-76 May 13 1972
Mr. Fred Chamberlain Colome S.D. SE 19-96-76 May 13-1972
Ray Krumboltz Colome S.D. SE 22-96-76 May 14-72
Bob Anderson Millboro S.D. SE 25-96-77 May 15-72

PETITION

To Mr. Burton F. Jones
Water Rights Specialist
South Dakota Water Resources Commission

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James E. Hollings Clearfield, S.D. SW 23-96-78 4 May 1972
Mrs. James E. Hollings Clearfield S.D. SW 23-96-78 4 May 1972
Mrs. Eldon E. Hollings Clearfield S.D. SW 23-96-78 4 May 1972
Orvin McCreedy Clearfield, S.D. NE 25-96-78 4 May 1972
Mrs. Orvin McCreedy Clearfield S.D. NE 25-96-78 4 May 1972
Steve McCreedy Clearfield S.D. NE 25-96-78 4 May 1972
John Wood J Millboro S.D. NE 28-96-77 May 4-72
Warren Anderson Millboro S.D. NE 28-96-77 May 4-72
Lee R. Hafelt Millboro S.D. SE 1/4 Sec 3 95-77 May 4-72
Mrs. Lee Hafelt Millboro S.D. S.W. 1/4 Sec 3 95-77 May 4-72
Charles D. Richey Wewela, S. Dak. S.E. 1/4 Sec 15-95-76 May 4-72
Charles J. Richey Wewela S. Dak. S.E. 1/4 Sec 15-95-76 May 4-72
Mrs. Charles D. Richey Wewela S.D. S.E. 1/4 Sec 15-95-76 May 4-72
Lyle B. Richey Clearfield S.D. S.E. 1/4 Sec 22-96-77 May 8-72
John Richey Clearfield S.D. S.E. 1/4 Sec 14-96-79 May 8-72
John Richey Clearfield S.D. S.E. 1/4 Sec 14-96-79 May 8-72
Harry F. Richey Clearfield S.D. S.E. 1/4 Sec 9-76-77 May 9-72
Harold Richey Clearfield S.D. S.E. 1/4 Sec 26-73-72 May 8-72
Art Zibell Clearfield S.D. S.E. 1/4 Sec 23-73-72 May 8-72
Donna Richey Clearfield S.D. S.E. 1/4 Sec 5-77-72 May 9-72

PETITION

To Mr. Hurton F. Jones
Water Rights Specialist
South Dakota Water Resources Commission
Pierre, South Dakota

In view of the dropping water level of the area rivers and creeks during the last three years, the threat of the river going dry during the summer months, the many wells that have been losing their supply of water and the necessity of many people to depend on the Keyapaha River for livestock water we the undersigned landowners, operators and interested citizens who are interested in retaining one of our most valuable resources, "Water" do hereby recommend that the South Dakota Water Resources Commission reject the following applications to appropriate water from the Keyapaha River:

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Application No. 1108-2 by Kenneth Sargent, Clearfield, South Dakota to appropriate 6.00 cubic feet per second from the Keyapaha River through the Sargent Irrigation Project.

May 8 - 72
Mrs. William Welch Clearfield S.D. Sec 16-25-78 May 10-1972
George Mann Jr. Clearfield S.D. Sec 2-47-78 May 10-1972
Dec. H. Williams Clearfield S.D. W²³ 24-96-78 May 10-1972
Myron B. Williams Clearfield S.D. NW 26-96-78 May 10-1972
Thos. A. Longren Millboro S.D. Sec. 2-95-78 May 14 1972
Nellie M. Gales Millboro S.D. Sec. 24 95-79-72 May 15 1972
Arley Mahaffey Millboro S.D. Sec. 24 95-79-72 May 15 1972
Woodrow Gales Millboro S.D. Sec. 24-95-79 5-15-72

1107-2

May 29, 1974

Mr. Richard Hanson
Clearfield, S.D. 57581

Dear Mr. Hanson:

On May 28, 1974 you made an oral request that you be allowed to divert water from the Keyapaha River, as specified in Water Permit No. 1107-2, until July 15, 1974.

You may consider this letter as authorization to divert water from the Keyapaha River until July 15, 1974, as requested except that you are to stop such withdrawal of water at an earlier date if you are so instructed by a representative of the Water Rights Commission.

Sincerely,

Donald Driscoll
Chief Engineer

DD/fb

1107-2

June 12, 1975

Mr. Richard Hanson
Clearfield, South Dakota 57581

Dear Mr. Hanson:

On June 11, 1975, you made an oral request, to be allowed to divert water from the Keyapaha River, as specified in Water Permit No. 1107-2, until July 15, 1975.

You may consider this letter as authorization to divert water from the Keyapaha River until July 15, 1975, as requested, except that you are to stop such withdrawals of water at an earlier date if you are so instructed by a representative of the Water Rights Commission.

Sincerely,

Vern Butler
Acting Chief Engineer
Water Rights Commission

VWB/tjb

1125

1107-2

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

August 11, 1980

Because of the existing deficient supply of water in the Keyapaha River (2.3 cfs at Wewela gage August 6, 1980) to provide water for domestic use including livestock watering, it is ordered that all withdrawals of water from the Keyapaha River for irrigation purposes cease effective 12:00 noon August 14, 1980 until January 1, 1981 or until further notice.

This order is issued in accordance with the South Dakota Water Laws which require the Water Management Board to control and regulate all waters of the State to assure water for domestic supplies and prior water rights.

Please govern your use of irrigation water under your Water Right in accordance with this order. You will be notified if the water supplies of the Keyapaha River become sufficient to permit irrigation water withdrawals again during 1980. If there are any questions on this order, please let me know.

Very truly yours,

John Hatch
 JOHN HATCH, Chief Engineer
 Water Rights Division

1107-2 Richard Hanson 2/2/1980

2-11-76 Not home - 1

6" dia. black PVC Pipe 5000 ft

some 6" diam pipe is good 1000 ft

17400 ft diam pipe is good

211 ft diam pipe is good

2/26/76 Mr. [unclear] [unclear]

demolition [unclear]

check 1978 or later

Mr. [unclear] only 10 ft [unclear]

2-18-76 [unclear]

ally Employer

1107-2

Richard Hanson

I stopped for the final inspection on October 31, 1983, the dam has been built and the land developed and it has been irrigated in the past. Hanson is going through bankruptcy proceedings and the equipment was returned to the dealer. I told them I would stop back in 1985.

Teri School

Water Rights Division 3151

April 12, 1985

Richard Benson

Crestline SD 57581

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 1107-2. The request for the questionnaire was made October 17, 1984. The Water Management Board has determined that the permit owner(s) and have not submitted 1984 Irrigation Questionnaire(s) to be held by the Board to determine if the action is to be taken concerning the violation.

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

The hearing will be conducted pursuant to the provisions of SDCL 46-2-10, 46-2-11, and 46-2-17. These are contained in the Water Rights Division's Manual, SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1107-2 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 rights will be forfeited if they are not exercised. Decisions of the Board will be appealable to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,


John H. Harty, Water Engineer
Water Rights Division
Pierre, (605) 773-3552

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Richard Hansen
Clearfield, SD 57501

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

SUBJECT: Amendment to Water Permit No(s). 1107-2.

Pursuant to the provisions of the notice dated April 15, 1985, and dated May 15, 1985, the Water Management Board has amended Water Permit No(s). 1107-2 to add the following qualifications:

"This permit is subject to the Irrigation Water Use Questionnaire which is 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 each violation. Please include the enclosed attachment with your permit.

PROPERTY OF STATE STREET BANK, 1107-2

...of the regulations of the Marine Corps April 11, 1917
...the following qualifications:

to the Irrigation District for

Water Rights Division
605 773-3352

April 2, 1986

1107-2

Stanley Hansen
Millboro SD 57554

Dear Mr. Hanson:

I am contacting you concerning Water Permit No. 1107-2 and our telephone conversation of April 2, 1986. You had indicated that you now own the land under the permit and it should no longer be listed under Richard Hansen.

In checking through the file on Permit No. 1107-2, I found no evidence of the permit ever being transferred from you to Richard. Correspondence has been sent to Richard Hansen in the past, but a legal transfer notice ~~was~~ never filed. The permit is still listed in your name and a transfer will not be necessary at this time.

If you have any questions, please contact our office.

Sincerely,

GERRY MCARTH
Natural Resource Analyst

Glmks



Department of Water & Natural Resources

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

February 8, 1989

STANLEY HANSEN

MILLBORO, SD 57554

NOTICE

RE: Violation of Water Permit No(s). 1107-2

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1107-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1107-2 qualification:

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

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

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

1. Suspend Permit No(s). 1107-2 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

Very truly yours,

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





Department of Water & Natural Resources

Job Foss Building
621 East Capitol
Pierre, South Dakota 57501-3181

February 24 1989

1107-2
1173-2

Stanley Hansen
RR #5 Box 63
Millboro, SD 57554

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 1107-2 and 1173-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

February 9, 1990

STANLEY HANSEN
RR 5 BOX 63
MILLBORO, SD 57554

NOTICE

RE: Violation of Water Permit No(s). 1107-2

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1107-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1107-2 qualification:

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

The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

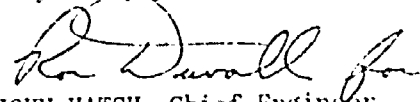
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1107-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


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

 **Department of
Water & Natural Resources**

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

February 16, 1990

1107-2
1173-2

Stanley Hanson
RR 5, Box 63
Millboro SD 57554

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1107-2 and 1173-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall, KS

RON DUVALL
Natural Resources Engineer
Water Rights Division



**Department of
Water & Natural Resources**

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

1107-2

August 24, 1990

Stanley Hanson
RR #5 Box 63
Millboro SD 57580

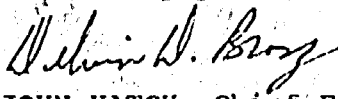
Dear Mr. Hanson:

In response to your request by telephone, you are authorized to pump from the Keya Paha River under Water Permit No. 1107-2.

The flows in the Keya Paha River will continue to be monitored. If the flows become so low that use by senior water right holders or domestic users becomes impaired a shutoff order will be issued.

If there are any questions, please contact this office.

Very truly yours,

for 

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

South Dakota

1107-2

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

January 11, 1991

NOTICE

TO: Stanley Hanson
RR. 5, Box 63
Millboro, SD 57554

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

John Hatch

SUBJECT: Amendment of Water Permit No. 1107-2 Qualification Regarding
Cut Off Periods

Notice is given that the Water Management Board will consider deleting
and adding the following qualifications to Water Permit No. 1107-2.

Qualification to be deleted:

This permit authorizes the diversion of water from the Keya Paha River for irrigation directly to the land until June 15 of each calendar year. After June 15 there shall be no diversion of water from the Keya Paha River under this permit unless written authorization is issued by the Water Resources Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by this commission or its representative.

Note - the qualification authorizing diversion directly for irrigation or for off-stream storage of up to 50 acre-feet of water annually will remain as a part of the water right.

Qualification to be added:

Low flows as needed for downstream domestic use, including livestock watering, and prior water rights must be by-passed. This permit does not authorize the diversion of water from the Keya Paha River or contributing tributaries when the flow in the Keya Paha River at the USGS gaging station located at Wewela is 10 cfs or less, unless written authorization is received from the Chief Engineer. Diversion under this permit shall be in accordance with any written orders issued by the Chief Engineer.

The hearing to consider amendment of Water Permit No. 1107-2 to delete and add the above qualifications will be held February 27, 1991 at 11:30 am, Meeting Room, Governors Inn, 700 West Sioux Avenue, Pierre, SD 57501. The agenda time is an estimate and may be delayed due to prior agenda items. The hearing will be held pursuant to the provisions of SDCL 46-1-14 and 46-2-17.

The hearing is based on the review of Keya Paha River Water Permits/Rights and historic flow records of the Keya Paha River. The attached report summarizes the current water permits/rights on the Keya Paha River and contributing tributaries. Also enclosed is a notice of hearing that will be published in the Winner Advocate for two consecutive weeks. The Board has legal authority and jurisdiction to consider this matter pursuant to SCL 46-2-9 and 46-2-11.

After all evidence is taken at the hearing, the Board may issue a decision to delete and add the above qualifications, postpone any action or take no action. This hearing is an adversary proceeding. Any party 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.

Attachment

1107-2

CERTIFICATION

I hereby certify that on January 14, 1991 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Amendment of Water Permit No. 1107-2 addressed as stated below.

Stanley Hanson, RR #5 Box 63, Millboro SD 57554

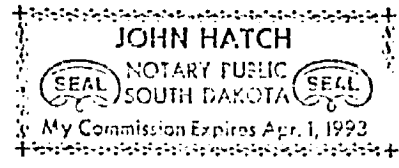
Marie R. Arthur

Marie R. Arthur
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of January, 1991.

John Hatch
Notary Public



1107-2

STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF THE APPLICATION	)	FINDINGS OF FACT
TO AMEND WATER PERMITS AND WATER	)	CONCLUSION OF LAW
RIGHTS WHOSE WATER SOURCE IS THE	)	AND FINAL DECISION
KEYA PAHA RIVER, IN PARTICULAR,	)	
WATER PERMITS AND RIGHTS NOS. 281-2	)	
282-2 AND 710-2, CHARLES RICHEY;	)	
NO. 369-2, VICTOR WEICKUM; NO. 414-2	)	
H.W. CARLSON; NO. 465-2 LUCILE RICHEY;	)	
NOS. 835-3 AND 959-2 ALVA WILEY;	)	
NO. 1530-2, VERN KESZLER; NO. 879-2,	)	
RICHARD KIRSCH; NO. 931-2,, LLOYD	)	
BLOMSTROM NO. 1107-2, STANLEY HANSON;	)	
NO. 1108-2, GARNET SARGENT;	)	
NO. 1128-2, CHARLES HELLMANN; AND	)	
NO. 2122-2 RODNEY HOFELDT	)	



FINDINGS OF FACT

I

This is an application by the Chief Engineer to establish a more manageable "cutoff" system on the Keya Paha River.

II

The existing water permits and water rights on the Keya Paha River have various cutoff dates. The first three permits issued on the Keya Paha River have a 10 cfs bypass at the Wewela Gauging Station. Eight permits, issued in the 1950s and 1960s, do not have a specific low flow bypass or cutoff date, but do have a requirement to bypass water for downstream domestic use and prior water rights. Three permits, issued in the 1970's, have a June 15 cutoff date. The most recent permit granted in the Keya Paha system provides a May 20 cutoff date.

III

Keya Paha system includes not only diversions from the Keya Paha River itself, but from its tributaries.

IV

The Keya Paha River is a spring fed river.

V

The Wewela Gaging Station is located at a point downstream of most of the water permits at issue. Statistics developed at the Wewela Gaging Station demonstrate that for the past thirty-nine years there were at least 10 cfs water at Wewela 90% of the time during the driest months of July, August and September. The same gaging station statistics indicate that there was a 70% chance that there would be at least 20 cfs of water at Wewela during the driest months of August and September.

VI

That Wewela Gaging Station thus reflects the situation which has existed given actual diversions. The Wewela station statistics do not reflect, however, the withdrawals of the latest appropriator whose Water Permit Application No. 2122-2 was approved May 23, 1990. That permit was for 4.57 cfs of water from a dug out located on a spring fed draw and supplemental water from Lost Creek, a tributary of the Keya Paha River. That permit has a May 20 cutoff for the portion of the diversion from Lost Creek.

VII

At least one domestic user downstream of the Wewela Gaging Station has testified that even when there are 18 cfs of water in the stream, there is insufficient water for his livestock. His cattle are located several miles below Wewela.

VIII

The Board finds that a 10 cfs bypass at Wewela is insufficient to provide reasonable protection to downstream domestic use, including livestock watering and prior water rights. The Board finds, furthermore, that reasonable protection is provided, on the basis of data now available, by a 15 cfs bypass requirement.

IX

The Board of Water Management has jurisdiction to impose amendments on existing permits to protect downstream domestic use, including livestock watering and to protect prior water rights. Such amendments are justified by the Water Management Board's statutory authority and duty to protect such prior rights.

X

The rights of the prior appropriators are not unlawfully impaired by the exercise of this authority by the Board, especially when the amendment provides for exceptions upon written authorization from the Chief Engineer. Moreover, when it is reasonable to allow exceptions despite the 15 cfs bypass requirement, senior appropriators will be

allowed by the Chief Engineer to irrigate beyond the cutoff date before junior appropriators.

CONCLUSIONS OF L'W

1. The Board has jurisdiction of this matter.
2. The Board has general authority to amend existing water permits pursuant to SDCL 46-2A-12.
3. The amendment set out in the Final Decision does not unlawfully impair existing rights. This is so because the existing rights are all subject to downstream domestic use including livestock watering and, of course, prior water rights. Moreover, even when the flow is 15 cfs or less, any appropriator may receive written permission from the Chief Engineer to appropriate water and such permission shall be granted, insofar as reasonably possible under the circumstances, first to senior appropriators and then to later appropriators.
4. The cutoff requirement set out in the Final Decision provides reasonable direction to the Chief Engineer in his management of the Keya Paha system. The proposed amendment to the permits is for beneficial purposes and is in the public interest.
5. The Board has jurisdiction to provide for a 15 cfs bypass requirement despite the fact that the advertisement provided for a 10 cfs requirement. The Chief Engineer's recommendation, as advertised and served upon the present water right holders, authorized the Board to approve the recommendation with "additional qualifications. . . ."

This language vests the Board with the power to make reasonable modifications in the recommendation.

6. The Department of Game, Fish and Parks requested a 16 cfs bypass for fish and wildlife purposes. The Board, having determined to adopt a 15 cfs requirement, concludes that it is unnecessary to consider whether it is appropriate or lawful to impose new bypass requirements on existing permits for fish and wildlife purposes and therefore declines to act upon the GF&P suggestion.

FINAL DECISION

Each of the rights and permits identified in the caption of this proceeding is herewith amended to remove any previous cutoff dates and bypass requirements and the following qualification is hereby added to each of the above-identified water rights and water permits.

Low flows as needed for downstream domestic use, including livestock watering, and prior water rights must be bypassed. This permit does not authorize the diversion of water from the Keya Paha River or contributing tributaries when the flow in the Keya Paha River at the USGS gaging station located at Wewela is 15 cfs or less, unless written authorization is received from the chief engineer. Diversions under this permit shall be in accordance with any written orders issued by the chief engineer.

BY THE BOARD

Chairman
Water Management Board

m-pld51.jpg

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 13, 1991

NOTICE

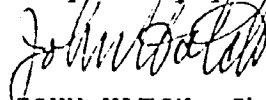
1107-2

Stanley Hanson
RR 5, Box 63
Millboro SD 57554

Dear Mr. Hanson:

This letter is in response to action taken by the Water Management Board to amend Water Permit No. 1107-2. The Board amended Water Permit No. 1107-2 by deleting and adding the qualifications on the enclosed "Attachment" which should be placed with the water permit. The action was taken pursuant to the notice to you dated January 11, 1991.

Very truly yours,



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

enclosure

ATTACHMENT TO WATER PERMIT NO. 1107-2

STANLEY HANSON

The Water Management Board amended Water Permit No. 1107-2 at the February 27, 1991 Board meeting to delete and add the following qualifications:

Qualification deleted:

This permit authorizes the diversion of water from the Keya Paha River for irrigation directly to the land until June 15 of each calendar year. After June 15 there shall be no diversion of water from the Keya Paha River under this permit unless written authorization is issued by the Water Resources Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by this commission or its representative.

NOTE: The qualification authorizing diversion directly for irrigation or for off-stream storage of up to 50 acre-feet of water annually will remain as a part of the water right.

Qualification added:

Low flows as needed for downstream domestic use, including livestock watering, and prior water rights must be by-passed. This permit does not authorize the diversion of water from the Keya Paha River or contributing tributaries when the flow in the Keya Paha River at the USGS gaging station located at Wewela is 15 cfs or less, unless written authorization is received from the Chief Engineer. Diversion under this permit shall be in accordance with any written orders issued by the Chief Engineer.

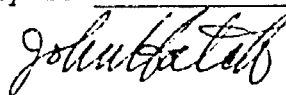
11692

Stanley Hanson, RR 5, Box 63, Millboro, SD 57554.

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 18th day of June, 1991.



Notary Public

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

I have this day made a thorough examination of the water use system constructed by Stanley Hanson
_____ of Millboro, SD holder of
Permit No. 1107-2, bearing the priority of March 26 1972 authorizing
the diversion of 3.0 cu. ft. per second of the waters of Keya Paha River
for Irrigation purposes, in Tripp County.

Cornell Centrifugal Pump, Model 34B 40-2 &
General Electric 40 Hp Motor, Model 5K286 IN1103

1200 ft. of 8" Aluminum Pipe &
3000 ft. of 6" PVC Pipe

1 Zimmatic S tower Center Pivot &
Approx. 5000 ft of 6" Gated Pipe.

The point of diversion is located 600 ft. North & 500 ft. East of the West 1/4
point (SW 1/4 NW 1/4) Section 18-T96N-R78W.

The works are capable of diverting and conveying to the place of use 1.67' (750 gpm)
cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: Section 18-T96N-R78W

NE'1/4 NE'1/4 - 40 Ac.	NE'1/4 NW'1/4 - 40 Ac.
NW'1/4 NE'1/4 - 40 Ac.	NW'1/4 NW'1/4 - 3 Ac.
SW'1/4 NE'1/4 - 20 Ac.	SW'1/4 NW'1/4 - 2 Ac.
SE'1/4 NE'1/4 - 20 Ac.	SE'1/4 NW'1/4 - 19 Ac.

comprising a total of 184 acres of land and the license should be issued for 1.67 cts

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date July 8, 1991

Signature: Timothy H. Schaal

LICENSE FOR PERMIT NUMBER 1107-Z

1. Legal location of wells: River - 600' North & 500' East of the West 1/4 point (SW1/4 NW1/4) Section 18-T96N-R78W. Dam - 1050' South & 1150' East (NW1/4 NW1/4) Section 18-T96N-R78W.

2. Well Information: Well Drilling Firm _____

Completion Report	Yes	No	No. of Wells	Depth
Casing	a) diameter		Screen	a) type
	b) length			b) length
	c) type		Static Water Level	
Pump	a) make	<u>Cornell Centrifugal</u>	Motor	a) make
	b) model	<u>3YB40-2</u>		b) model No.
	c) size	<u>7 1/6"</u>		c) horsepower rating
	d) capacity	<u>750</u> gpm		
	e) turbine pump - no. of stages			
	f) operating PSI	<u>35-40</u>		

3. Distribution lines or canals

a) size	<u>8"</u>	<u>6"</u>
b) type	<u>Aluminum</u>	<u>PVC</u>
c) length	<u>1200'</u>	<u>3000'</u>

4. Dam Information:

a) height to crest	<u>18'</u>	m) Outlet tubes:	<u>NA</u>
b) height to primary spillway	<u>15'</u>	1) diameter	
c) height to secondary spillway	<u>NA</u>	2) type	
d) crest width	<u>10'</u>	3) valved (Y/N)	
e) crest length	<u>200'</u>	4) valve type	
f) spillway length		5) location on structure	
g) spillway width	<u>100'</u>		
h) approx. storage	<u>37.5</u>	n) Category of Dam	<u>3</u>
i) approx. storage to crest	<u>4.5</u>		
j) date constructed			
k) inspection sheet completed (Y/N)			
l) Name of Contractor			

5. System Type a) sideroll:

- 1) length _____feet
- 2) diameter of pipe_____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make_____
- 2) nozzle size _____
- 3) capacity (GPM)_____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length Approx. 5000'
- 2) diameter 6"
- 3) spacing of gates _____

f) portable boom

- 1) make_____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length_____feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers_____
- 4) nozzle size _____

d) center pivot

- 1) make Zimmerman
- 2) number of towers 5
- 3) distance between towers _____
- 4) overall length 985' - 70 ft.
- 5) end gun (Y/N) Yes - Nelson
- 6) high or low pressure Low
- 7) make & size of nozzles 35-40 psi.
- 8) capacity (GPM) 750

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following: for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project_____

Yes	No	Check Items
<u>NA</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>		2. Special qualifications to permit being abided by?
<u>X</u>		3. All structures, wells and lands on map?
<u>X</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
	<u>X</u>	5. Is chemigation used?
<u>NA</u>		6. If yes, does equipment comply with chemigation rules?

REMARKS:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 19, 1991

1107-2

Stanley Hanson
RR 5 Box 63
Millboro, SD 57554

Dear Mr. Hanson:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1107-2, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

412750

Pierre, _____ July 23, 1991

RECEIVED OF Stanley Hanson, Rt 5, Box 63, Millboro, SD 57580

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. <u>1197-2</u>	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* (Signature)
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1107-2

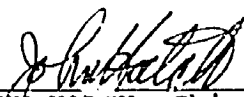
(1) Stanley Hanson of RR 5, Box 63, Millboro, SD 57554 made Application No. 1107-2, March 26, 1972 for a water permit to appropriate 3.00 cubic feet of water per second from the Keyapaha River, Tripp County, South Dakota for irrigation purposes. Permit No. 1107-2 with a priority date of March 26, 1972 was approved May 17, 1972 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 17, 1977 and for the application to beneficial use of said water on or before May 17, 1981.

(2) It is certified that the applicant 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 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is: 600'N and 500'E of the W1/4 corner Section 18, T96N, R78W. Water is diverted from the Keyapaha River into a storage dam (37.5 acre feet storage capacity) located 1,050'S and 1,150'E (to spillway) of the NW corner Section 18, T96N, R78W (NW1/4 NW1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T96N, R78W	Section 18	NE 1/4 NE 1/4	40 Acres
		NW 1/4 NE 1/4	40 Acres
		SW 1/4 NE 1/4	20 Acres
		SE 1/4 NE 1/4	20 Acres
		NE 1/4 NW 1/4	40 Acres
		NW 1/4 NW 1/4	3 Acres
		SW 1/4 NW 1/4	2 Acres
		SE 1/4 NW 1/4	19 Acres
		Total-----	184 Acres

(4) Pursuant to Section 46-5-30.1 Stanley Hanson of RR 5, Box 63, Millboro, SD 57554 the holder(s) and/or owner(s) of Water Permit No. 1107-2 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from the Keyapaha River with a priority date of March 26, 1972 from the location specified in (2) of this license. The water is 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. 1107-2 and subject to South Dakota State Law.


SEP 4 1991
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 4 1991

Stanley Hanson
RR 5, Box 63
Millboro, SD 57554

Dear Mr. Hanson:

Enclosed is Water License No. 1107-2. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412750 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 29, 1991

NOTICE

PERMIT NO(S). 1107-2

TO: Stanley Hanson
RR 5, Box 63
Millboro, SD* 57554

FROM: *for* JOHN HATCH, Chief Engineer *William H Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Shutoff Order for Water Diversions from the
Keyapaha River.

The flows in the Keyapaha River are below 15 cubic feet per second (cfs) at the Wewela gaging station. Therefore, to protect domestic use (livestock watering), effective immediately, no pumping of water is authorized from the Keyapaha River or contributing tributaries until January 1, 1992 or until further notice.

The following is the latest flow (cfs) information on the river:

GAGE	3/27/91	3/28/91	3/29/91
Wewela	15.9	13.5	12.6

If you have any questions, please contact Tim Schaal or Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

CERTIFICATION

I hereby certify that on August 29, 1991 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Shutoff Order for Water Diversions from the Keyapaha River addressed as stated below:

Garnet Sargent, RR, Clearfield, SD 57581

Rodney Hofeldt, RR 5, Box 89, Millboro, SD 57554

Stanley Hanson, RR 5, Box 63, Millboro, SD 57554

Lloyd Blomstrom, P.O. Box 623, Winner, SD 57580.

Vern Keszler, HC 88, Box 12, Clearfield, SD 57581.

~~Dale Heese, SR-Box 36, Millboro, SD-57554.~~

Charles Hellman, RR 5, Box 84, Millboro, SD 57554.

Alva Wily, SR 10, Box 34, Millboro, SD 57554.

Richard Kirsch, HC 80, Box 19, Springview, NE 68778.

Charles Richey, HC 88, Box 47, Wewela, SD 57578.

Lucile Richey, RR 10, Box 46, Wewela, SD 57578.

Victor Weickum, Wewela, SD 57578.

H. W. Carlson, RR 1, Box 32, Colome, SD 57528.

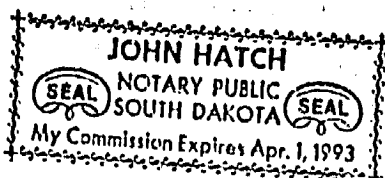
Chas. F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 30th day of August, 1991.

John H. Bates
Notary Public





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 10, 1991

NOTICE

PERMIT NO. 1107-2

TO: Stanley Hanson
RR 5, Box 63
Millboro, SD 57554

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

SUBJECT: Authorization for additional diversion from the Keyapaha River and contributing tributaries.

Since our August 29, 1991 Shutoff Order, the flows of the Keyapaha River at the Wewela gaging station have increased to above 15 cfs. This NOTICE will serve as written authorization for you to continue diverting from the Keyapaha River or contributing tributaries.

It is our understanding that you would like to continue irrigating for a period of 4 or 5 days, depending on when you decide to cut your alfalfa. Please contact us when you decide to start irrigating. You will need to monitor the flows in the Keyapaha River to insure flows for downstream domestic use.

If you have any questions, please contact Tim Schaal or Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

1107-2

CERTIFICATION

I hereby certify that on September 10, 1991 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Authorization for additional diversion from the Keyapaha River and contributing tributaries addressed as stated below:

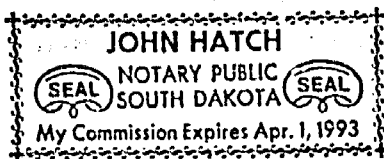
Stanley Hanson, RR 5, Box 63, Millboro, SD 57554.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 17th day of September, 1991.



John Hatch
Notary Public



January 9, 1998

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: STANLEY HANSON, HCR 88 BOX 63, MILLBORO, SD 57580
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 1107-2, 1173-2. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1173-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1107-2 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1107-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1173-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

1107-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 1998

1107-2
1173-2

Stanley Hanson
ICR 88 Box 63
Millboro, SD 57580

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1107-2 and 1173-2.

I completed questionnaires for you based on our January 14th 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 13, 1999

1107-2

Stanley Hanson
HC 88 Box 63
Millboro, SD 57554

Dear Mr. Hanson:

Thank you for your telephone call of December 10th concerning the transfer of Water Right No. 1107-2.

Enclosed, as you requested, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. The form will need to be completed and then signed in the presence of a notary public by the new owner.

The completed form will need to be returned to our office with a required filing fee of \$2.50. Once we receive the form and filing fee, the water right can be transferred.

If I can answer any questions for you Stanley, please get in touch with me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1107-2

Date: July 18-2000

I/We request that Water Right No. 1107-2

formerly owned by: Stanley Hanson

be transferred to: (name & address)

Robert S. and Kimberly J. Hanson

Telephone No. 557-3451

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

184 acres - N 1/2 Section 18, T96N, R78W

I/We understand that the validity of Water Right No. 1107-2 has not been determined by this transfer action. If I/We have any question on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Tripp)

Kimberly J.

I/We Robert S. Hanson & Kimberly J. Hanson being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed) Kimberly J. Hanson

Subscribed and sworn to before me this 18 day of July, 2000.

[Signature]
(Notary Public)

My Comm. exp. 5/20/2002

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

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

RECEIVED Water Rights Program

South Dakota Department of Environment and Natural Resources

ME 416590

July 20, 2000

Pierre,

RECEIVED OF Stanley Hansen, HC 88, Box 03, Millboro, SD 57580
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water

License No. _____

Fee for Filing Transfer Form Water Right No. 1107-2

Fee for Filing Extension Request _____

Fee for _____

Total

2 50

2 50

(Any Other Work Provided by Law)

By Donald E. Smith
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 20, 2000

1107-2

Robert S & Kimberly J Hanson
HC 88 Box 69
Millboro, SD 57580

Dear Mr. & Mrs. Hanson:

Thank you for following up on the ownership change for Water Right No. 1107-2. The transfer has been completed and the water right is now listed in your names. I am forwarding the receipt for the \$2.50 filing fee to Stanley Hanson.

Enclosed is a sample copy of the yearly irrigation questionnaire. These types of forms are mailed every October to irrigators in South Dakota to report their annual water use. The sample form will give you an idea of the type of information you will need to keep track of throughout the growing season. You do not need to return the sample irrigation questionnaire.

If you have any questions concerning the water right, please get in touch with me.

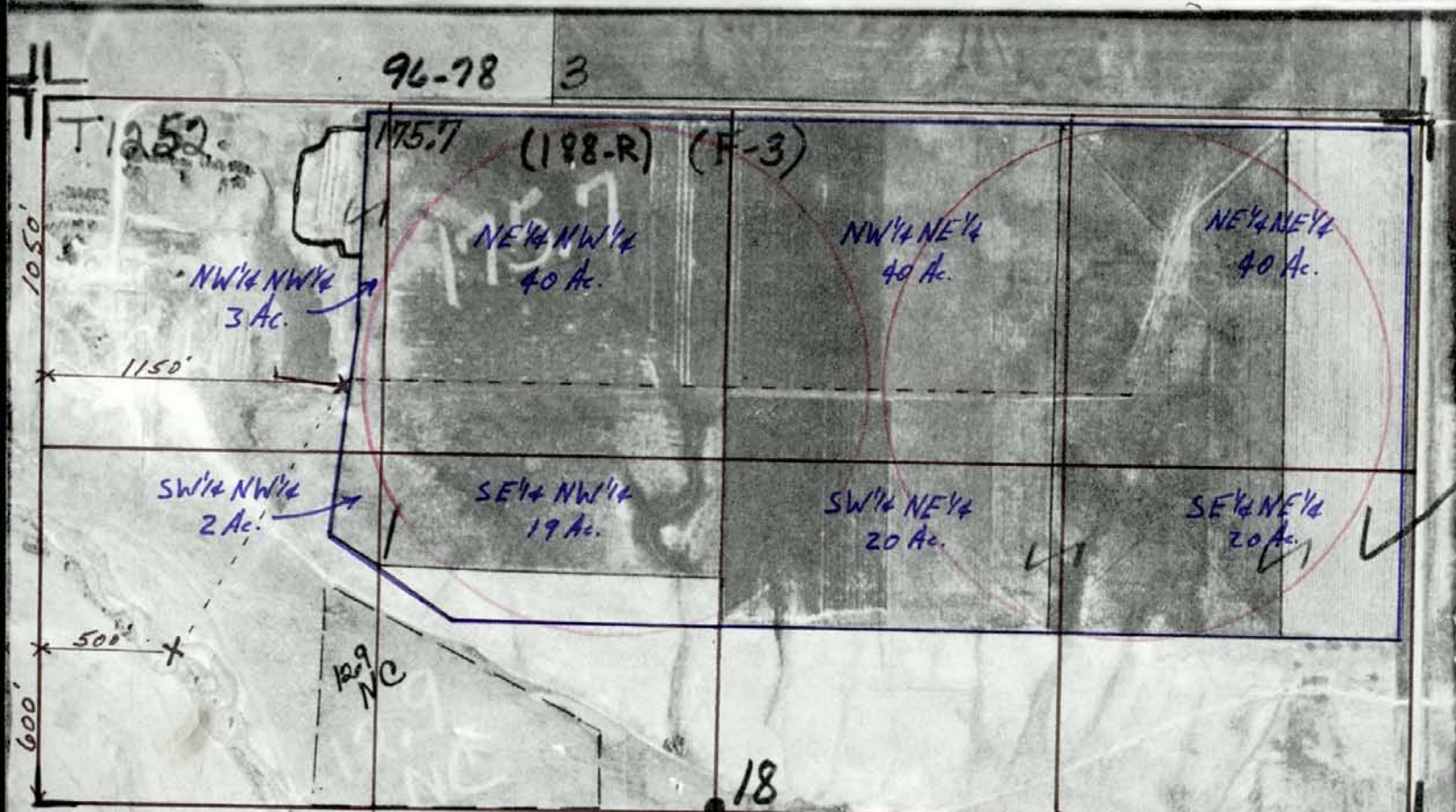
Sincerely,

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

enclosure

c: Stanley Hanson w/Receipt No. 416590

NOT TO SCALE



FT 2821

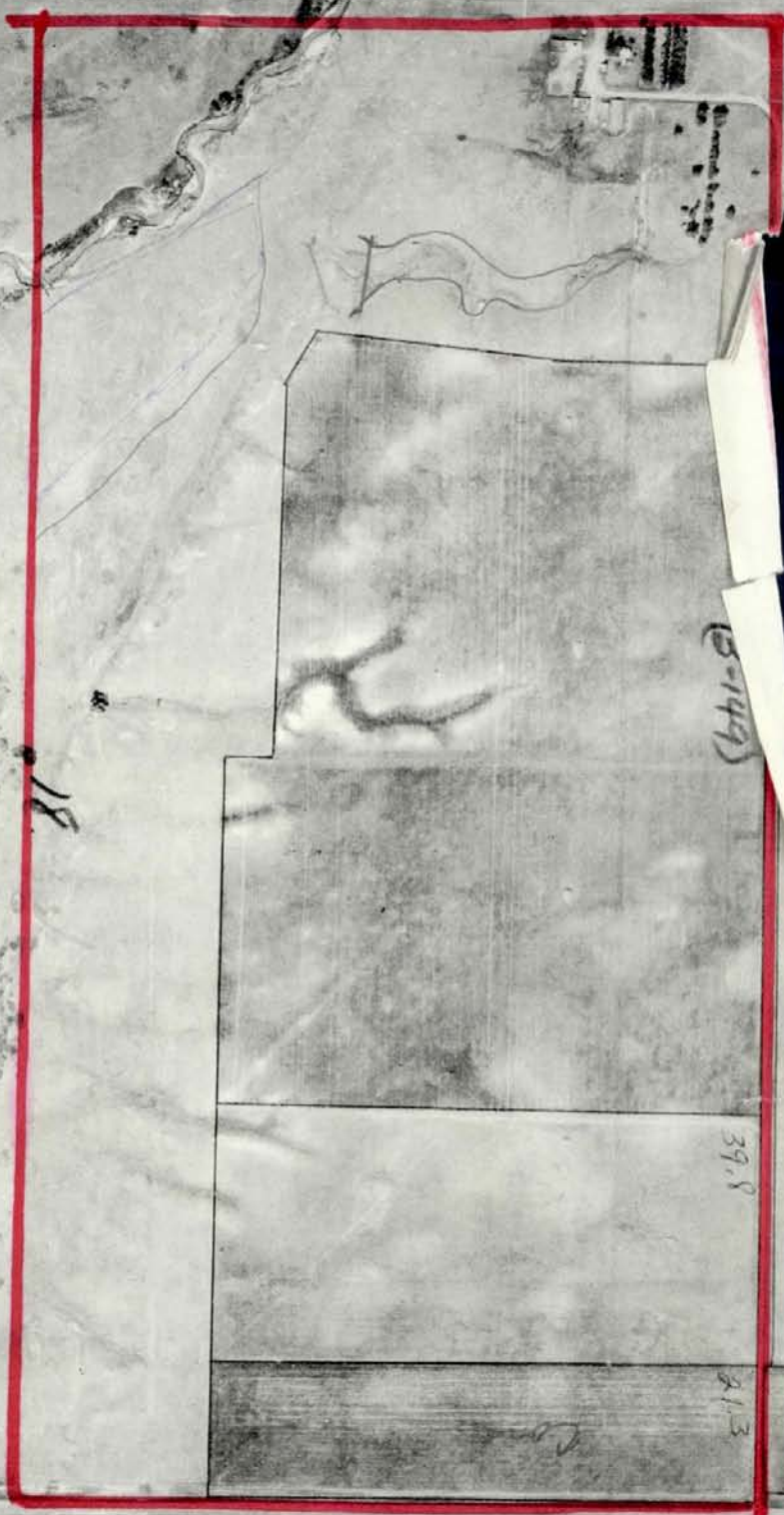
96-78



Timothy L Schaal
July 8, 1991

1107-2

1911
46-72



(5-149)

39.8

21.3

96-78

~~MAP 12~~ 9402 APR 1972 1107-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 17, 2006

**KEYA PAHA RIVER WATER RIGHT QUALIFICATION REMINDER
WATER RIGHT NO(s) 1107-2**

To: ROBERT/KIMBERLY HANSON
29445 303 AVE
WINNER SD 57580

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

Subject: Keya Paha River Qualification Reminder for Permit No(s) 1107-2

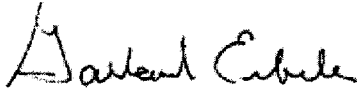
Qualifications on your water right indicate that you are not authorized to divert Keya Paha River water when the stream flow is 15-cfs or less at the USGS Wewela, SD gage, unless written authorization is received by the Chief Engineer. Please, consider this a reminder as flow in the Keya Paha River has dropped to the point where domestic use of water, which includes livestock watering from the river, has become a concern. On July 17, 2006, the stream flow at the Wewela gage dropped to 14-cfs.

For your information, the real-time stream flow data can be found on the USGS web-site at <http://waterdata.usgs.gov/sd/nwis/current/?type=flow>. If you have any questions, please feel free to contact Mike DeFea or Mark Rath at 773-3352.

July 16, 2007

KEYA PAHA RIVER WATER RIGHT QUALIFICATION REMINDER
WATER RIGHT NO(s) 1107-2

To: ROBERT & KIMBERLY HANSON
29445 303 AVE
WINNER, SD 57580



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

Subject: Keya Paha River Qualification Reminder for Permit No(s). 1107-2

Qualifications on your water right indicate that you are not authorized to divert Keya Paha River water when the stream flow is 15-cfs or less at the USGS Wewela, SD gage, unless written authorization is received by the Chief Engineer. Please, consider this a reminder as flow in the Keya Paha River has dropped to the point where domestic use of water, which includes livestock watering from the river, has become a concern. On July 16, 2006, the stream flow at the Wewela gage dropped to 13-cfs.

For your information, the real-time stream flow data can be found on the USGS web-site at <http://waterdata.usgs.gov/sd/nwis/current/?type=flow>. If you have any questions, please feel free to contact Mike DeFea or Mark Rath at 773-3352.



February 22, 2008

ROBERT & KIMBERLY HANSON
29445 303 AVE
WINNER, SD 57580

Dear Water Right Holder:

Due to the ongoing drought, I would like to remind you of the qualification that exists on your water right. All water right holders who divert water from the Keya Paha River and its tributaries have water rights with a 15 cubic feet of water per second (cfs) bypass qualification. The qualification states that diversion of water is not authorized when the stream flow at the USGS Wewela, SD gaging station is 15 cfs or less, unless written authorization is received by the Chief Engineer.

In the past, we have sent a letter to water right holders reminding them of the 15 cfs bypass qualification. However, some water right holders misinterpreted the "reminder letter" as a "shut-off order" and discontinued irrigation for the rest of the season, which is the reason for this letter.

As stated above, water may not be diverted when flow at the USGS Wewela, SD gaging station is 15 cfs or less. However, when flow at the gage is greater than 15 cfs, you are authorized to divert water from the river or its tributaries.

I hope this removes any confusion some may have regarding the "reminder" letter. If you have any questions, please contact Mike DeFea or Mark Rath at (605) 773-3352.

Sincerely,

Garland Erbele
Chief Engineer
DENR, Water Rights Program

1107-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 10, 2012

KEYA PAHA RIVER WATER RIGHT QUALIFICATION REMINDER

To: ROBERT/KIMBERLY HANSON
29445 303 AVE
WINNER SD 57580

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

Subject: Keya Paha River Qualification Reminder for Permit No(s) 1107-2

This is a **reminder** to water right holders along the Keya Paha River and its tributaries that the dry weather and low flows create a potential for shutoff orders to be issued. A qualification on your water right states that diversions are not authorized when the stream flow is 15 cfs or less at the USGS Wewela, SD gaging station. This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. In the meantime, water right holders can help by closely monitoring water usage and trying to avoid wasting water.

Currently the stream flow at the Wewela gage is at 21 cfs. Only when flow in the Keya Paha River is greater than 15 cfs at the USGS Wewela, SD gage, are you authorized to divert water. This is **not** a shut-off order. However, if flows continue to drop, a shut-off order may be issued.

If you are interested, the US Geological Survey has an Internet site showing real-time river flows at 153 stream gauging stations across the state including two gaging stations on the Keya Paha River. To access this information go to <http://waterdata.usgs.gov/sd/nwis/rt> and click on the link "Statewide Streamflow Current Conditions Table".

If you have any questions, please feel free to contact Mark Rath or Lynn Beck at (605) 773-3352.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

NOTICE OF SHUTOFF ORDER

July 17, 2012

TO: ROBERT/KIMBERLY HANSON
29445 303 AVE
WINNER SD 57580

FROM: GARLAND ERBELE, Chief Engineer
SD DENR Water Rights Program

SUBJECT: Keya Paha River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 1107-2

The flows in the Keya Paha River are below 15 cubic feet per second (cfs) at the USGS gaging station at Wewela, SD. Therefore to protect domestic use which includes livestock watering, the department is issuing shutoff orders for the Keya Paha River from the Todd-Tripp county line to the South Dakota-Nebraska border. Effective immediately, no diversions of water from the Keya Paha River is authorized under your Keya Paha River water rights.

Flow in the Keya Paha River has dropped to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve.

If conditions do not improve, this order will remain in effect until **December 31, 2012**.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Mark Rath or Lynn Beck (605- 773-3352) with the Water Rights Program. Thank you.

CERTIFICATION

I hereby certify that on July 17, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 17, 2012 regarding shutoff order for Keya Paha River addressed as stated below:

PERMIT NO	PNO2	FIRST NAME	LAST NAME	CONTACTOWN	ADDRESS2	CITY	STATE	ZIP
1107-2		ROBERT/KIMBERLY	HANSON		29445 303 AVE	WINNER	SD	57580
2141-2		CORY C	SARGENT		29461 304th AVE	WINNER	SD	57580
1128-2	2581-2	JOE	ANDERSON	OPERATOR	29694 312th AVE	WINNER	SD	57580
414-2		H W OR BRAD	CARLSON		29716 315TH AVE	COLOME	SD	57528
835-2	959-2	ALVA LEE	WILEY		31450 301 ST	WINNER	SD	57580
710-2		JIM	RICHEY		30099 318TH AVE	WEWELA	SD	57580
465-2		E LUCILE	RICHEY		31856 RICHEY RD	WEWELA	SD	57578
369-2			HARTLAND FARMS INC	CORWIN HARTHOORN	88809 429TH AVE	AINSWORTH	NE	69212
931-2		VERNON & JEAN	VAN EPPS		93925 908TH RD	SPRINGVIEW	NE	68778
879-2		JEFF	KIRSCH		44326 905th RD	SPRINGVIEW	NE	68778

Gail Jacobson

Gail Jacobson
Secretary/Water Rights

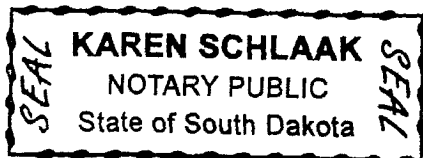
STATE OF SOUTH DAKOTA)
) SS

COUNTY OF HUGHES)

Sworn to, before me, this 17th day of July, 20 12.

Karen Schlaak

Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 16, 2022

ROBERT/KIMBERLY HANSON
29445 303 AVE
WINNER, SD 57580

Dear Keya Paha River Water Right Holder:

I am writing to remind Keya Paha River water right holders and operators of the bypass qualification that was placed on your water permit by the Water Management Board in 1991:

A minimum flow of 15 cubic feet of water per second (cfs) shall be maintained at Gage No. 06464500 – Keya Paha River near Wewala, SD to insure flows for domestic use and prior existing water rights.

Recently, river flows measured at **USGS Gage No. 06464500 – Keya Paha River near Wewala, SD** have been nearing the 15 cfs cutoff and when it does, diversion of water for irrigation purposes shall cease. This 15 cfs limit is in place to protect domestic use, including livestock watering and those water rights that are most senior.

Realtime flows in the in Keya Paha River can be monitored by going to the following website:

<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>

USGS Stream Gage No. 06464500 – Keya Paha River near Wewala, SD

Thank you for your cooperation. If you have any questions, please contact Mark Rath, or Nakaila Steen at (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

RAPID CITY ONE-STOP
221 MALL DRIVE, SUITE 201
RAPID CITY, SD 57701
danr.sd.gov

August 7, 2026

Permit No. 1107-2

ROBERT/KIMBERLY HANSON
29445 303RD AVE
WINNER, SD 57580

Dear Appropriators:

I am writing to remind Keya Paha River Water Right holders and operators of the bypass qualification that was placed on your water permit by the Water Management Board in 1991:

A minimum flow of 15 cubic feet of water per second (cfs) shall be maintained at Gage No. 06464500 - Keya Paha River near Wewala, SD to ensure flows for domestic use and prior existing water rights.

Recently, river flows measured at USGS Gage No. 06464500 – Keya Paha River near Wewala, SD have been as low as 25 cfs. If flows decrease to 15 cfs, diversion of water for irrigation purposes are required to cease. The 15 cfs limit is in place to protect domestic use, including livestock watering and those water rights that are most senior.

Realtime flows in the in Keya Paha River can be monitored by going to the following website:

<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>

USGS Stream Gage No. 06464500 – Keya Paha River near Wewala, SD

Thank you for your cooperation. If you have any questions, please contact Nakaila Steen or another member of the DANR-Water Rights Program at (605) 394-2229 (Rapid City Office) or (605) 773-3352 (Pierre Office). We would appreciate it if you would call Nakaila in our Rapid City office and provide an up-to-date phone number and email for faster communication on this matter.

Sincerely,

Adam Mathiowetz, PE
Chief Engineer
Water Rights Program