

1241-2

1. Considered 3-19, 1975
2. Name of Applicant DONALD THORSON & CHAUNCEY TAYLOR
3. Post Office Address SCENIC
4. Amount of water claimed 6.53
5. Source of water supply CHEYENNE RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 45764
7. Water to be diverted and used in FENNINGTON county
about 24E, 4S miles _____ of HERMOSA
8. Proof of Publication Received 3-14-75
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1050-2 Water Division No. 2 EAST CHEYENNE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Donald R. Thorson and Chauncey D. Taylor
 Postoffice address Scenic 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 Thorson - Taylor #1
 4. Amount of water claimed (cubic feet per second) 6.53
 5. Source of water supply Cheyenne River
 6. Location of point of diversion SW $\frac{1}{2}$ SW $\frac{1}{2}$ Section 19, Lot #9, T3S, R12E

- County Pennington
 7. Annual period or periods during which water is to be used April 1st to October 31st
 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 457.64

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.
See attachment			

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 Rapid City Journal, Rapid City, SD
 12. Principal Features of the Proposed Water Supply System.

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

#6 Parma Water Lift Pump

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

Contour Ditch

C. Works proposed to apply water to beneficial use.

Ditches and Dikes

Estimated Total Cost \$ 9,300Attachments: 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

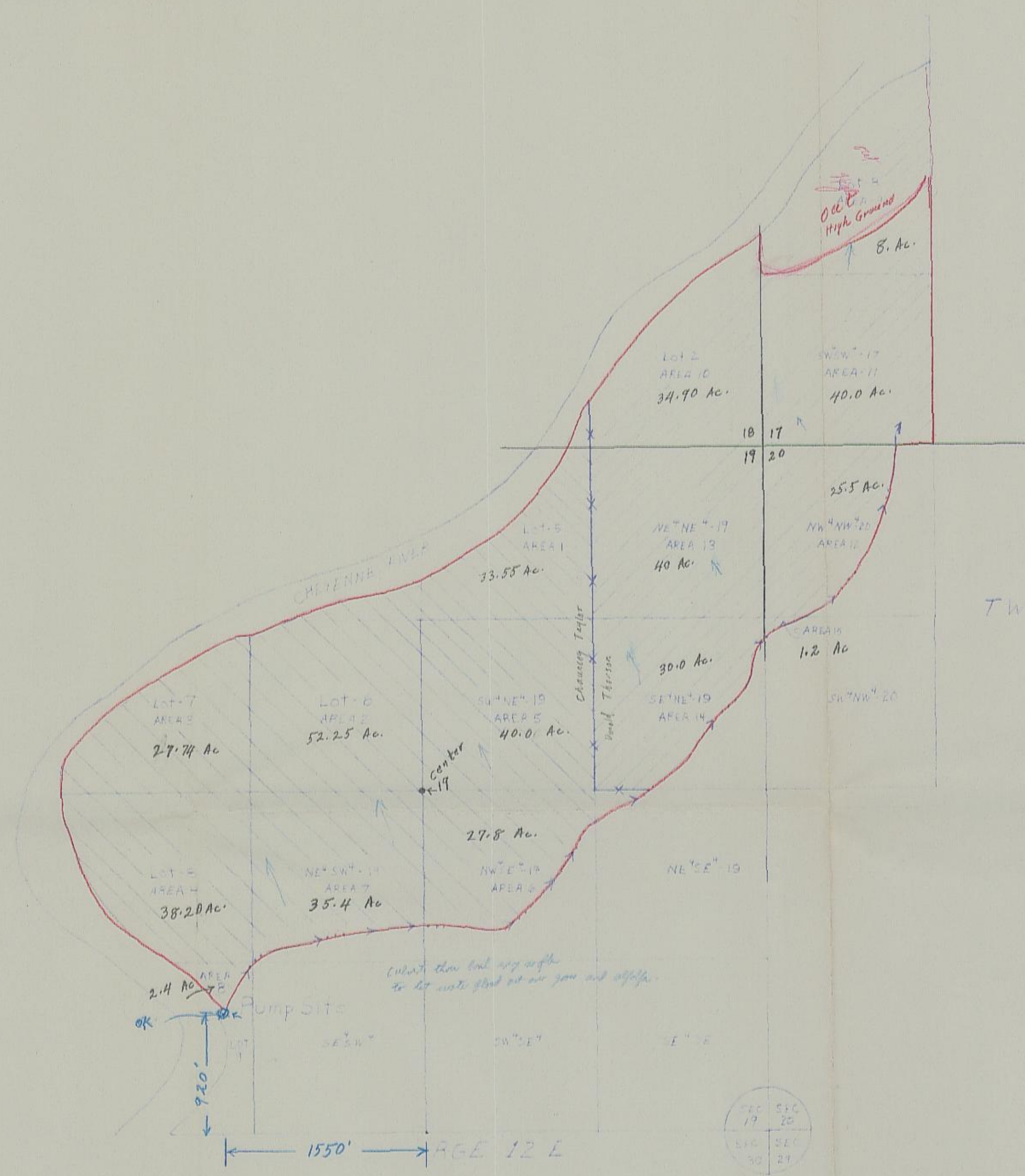
County of Hughes

Donald R. Thorson

I, Chauncey Taylor & I 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.Chauncey D. TaylorSigned Donald R. ThorsonSubscribed and sworn to before me this 6th day of February 19 75

Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II



Owned by Chauncey D. Taylor

Location of Land to be Irrigated

AREA	SECTION	TOWNSHIP	RANGE	ACRES
1	LOT 5	10	12E	33.55
2	LOT 6	10	12E	52.25
3	LOT 7	10	12E	27.74
4	LOT 8	10	12E	35.4
5	SW 1/4 NE 1/4	10	12E	40.0
6	NW 1/4 NE 1/4	10	12E	40.0
7	NE 1/4 SW 1/4	10	12E	30.0
8	LOT 9	10	12E	2.4
TOTAL				257.34

Owned by Donald S. Thorsen

Location of Land to be Irrigated

AREA	SECTION	TOWNSHIP	RANGE	ACRES
9	LOT 9	17	12E	25.70
10	LOT 10	17	12E	34.90
11	SW 1/4 SW 1/4	17	12E	40.00
12	NW 1/4 NW 1/4	17	12E	25.50
13	NE 1/4 NW 1/4	17	12E	40.00
14	SE 1/4 NE 1/4	17	12E	30.00
15	SW 1/4 NW 1/4	17	12E	1.20
TOTAL				222.30

179.6 Irrigated
257.34
436.94

Land to be irrigated owned by Chauncey Taylor

Land to be irrigated owned by Donald Thorsen

Planned PUMP SITE

Planned Irrigation Line

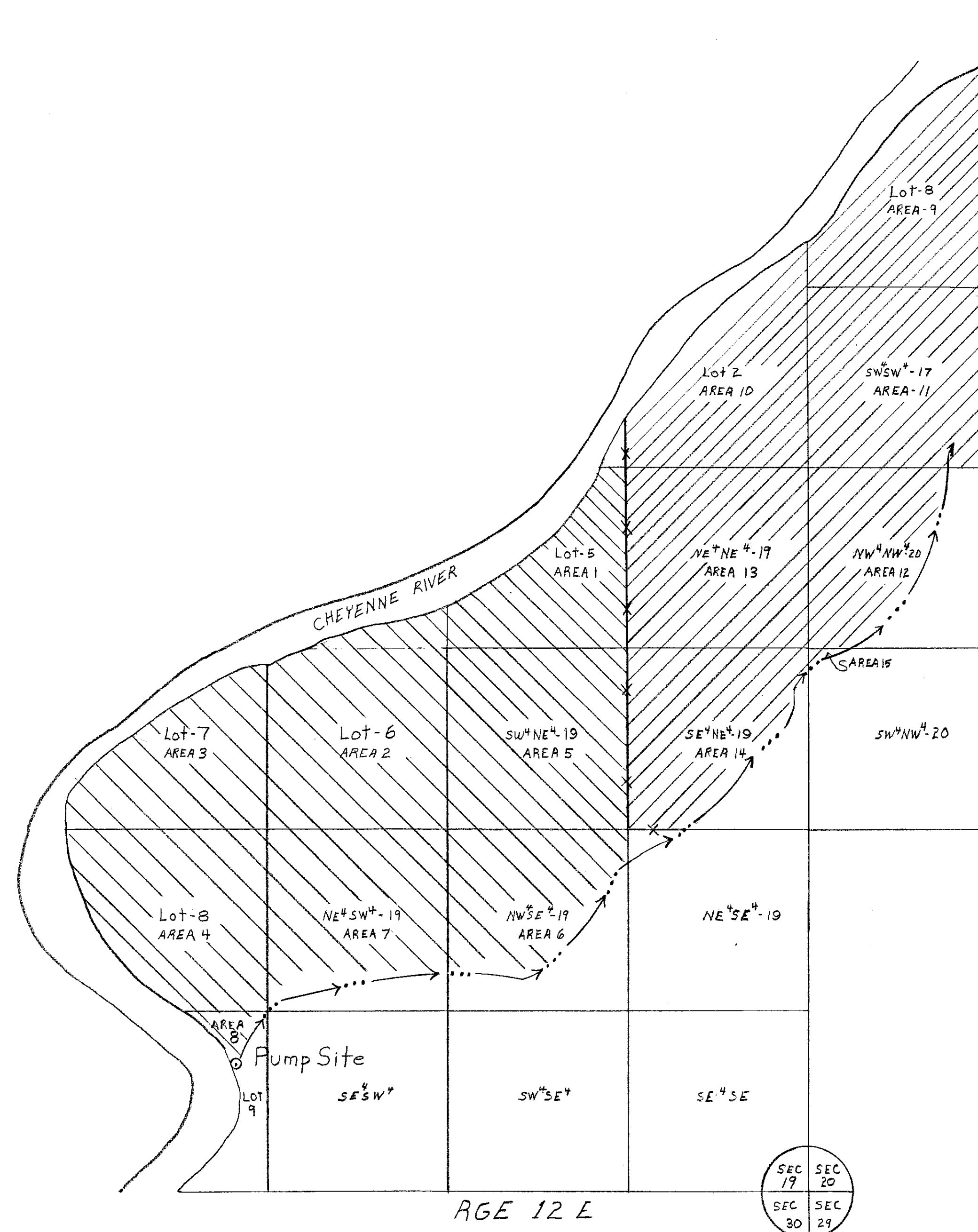
Fence

Scale 1" = 660 LF

Chauncey Taylor & Don Thorsen
Scenic, South Dakota
Irrigation Project

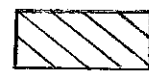
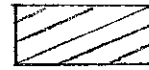
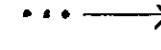
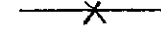
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn	Anderson, J. J.	
Traced		
Checked		



TWP 35



Land to be irrigated owned by Chauncey Taylor 
 Land to be irrigated owned by Donald Thorsen 
 Planned PUMP SITE 
 Planned Irrigation Ditch 
 Fence 

Owned by Chauncey D. Taylor

AREA	LOCATION	SECTION	TWP	RANGE	ACRES
1	LOT 5	19	35	12E	33.55
2	LOT 6	19	35	12E	52.25
3	LOT 7	19	35	12E	27.74
4	LOT 8	19	35	12E	38.20
5	SW ¹ /NE ¹	19	35	12E	40.00
6	NW ¹ /SE ¹	19	35	12E	27.80
7	NE ¹ /SW ¹	19	35	12E	35.40
8	LOT 9	19	35	12E	2.40
TOTAL					257.34

Owned by Donald R. Thorsen

AREA	LOCATION	SECTION	TWP	RANGE	ACRES
9	LOT 8	17	35	12E	28.70
10	LOT 2	18	35	12E	34.90
11	SW ¹ /SW ¹	17	35	12E	40.00
12	NW ¹ /NW ¹	20	35	12E	25.50
13	NE ¹ /NE ¹	19	35	12E	40.00
14	SE ¹ /NE ¹	19	35	12E	30.00
15	SW ¹ /NW ¹	20	35	12E	1.20
TOTAL					200.30

Scale 1" = 660 Lf

Chauncey Taylor & Don Thorsen
 Scenic, South Dakota
 Irrigation Project

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

Designed.....	Date.....	Approved by.....
Drawn.....	Date.....	Title.....
Traced.....	Date.....	Title.....
Checked.....	Date.....	Title.....

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1241-2
DONALD R. THORSON & CHAUNCEY D. TAYLOR SCENIC
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57780 With the following modifications:
 (State)

DIVERSION OF WATER UNDER THIS PERMIT IS CONTINGENT UPON WATER SUPPLIES BEING FIRST AVAILABLE TO THE PRIOR WATER RIGHTS ON THE CHEYENNE RIVER. FLOW RECORDS SHOW THAT THERE ARE OCCASIONAL YEARS WHEN THE FLOWS OF THE CHEYENNE RIVER ARE DEFINITELY & RECOGNIZABLY LOWER THAN USUAL DURING THE MONTHS OF JULY, AUGUST & SEPTEMBER. DIVERSIONS OF WATER ARE NOT TO BE MADE UNDER THIS PERMIT DURING SUCH LOW FLOW PERIODS.

Date of first receipt of application FEBRUARY 6 19 75
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved MARCH 20 19 75 Recorded in Book 13 Page 202

WATER RIGHT PERMIT NO. 1241-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1241-2 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 right is FEBRUARY 6 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 20 19 77
3. The whole of said work is to be completed on or before MARCH 20 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 19 84
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 6.53 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 MARCH 20 19 84; said water to be used during the following described annual period: APRIL 1 TO OCTOBER 31

Witness my hand this 21ST day of MARCH 19 75

WATER RIGHTS COMMISSION

By:

Donald Driscoll
 Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 20 19 81

Water License Issued JANUARY 20 19 81

Water Right for Chauncey D. Taylor and Donald R. Thorsen

Lands to be irrigated - owned by Chauncey D. Taylor

Area	Location	Section	Twp.	Rge.	Acres
1	Lot 5	19	3S	12E	33.55
2	Lot 6	19	3S	12E	52.25
3	Lot 7	19	3S	12E	27.74
4	Lot 8	19	3S	12E	38.20
5	SW $\frac{1}{4}$ NE $\frac{1}{4}$	19	3S	12E	40.00
6	NW $\frac{1}{4}$ SE $\frac{1}{4}$	19	3S	12E	21.80
7	NE $\frac{1}{4}$ SW $\frac{1}{4}$	19	3S	12E	35.40
8	Lot 9	19	3S	12E	2.40
Total					257.34

Lands to be irrigated - owned by Donald R. Thorsen

Area	Location	Section	Twp.	Rge.	Acres
9	Lot 8	17	3S	12E	28.70
10	Lot 2	18	3S	12E	34.90
11	SW $\frac{1}{4}$ SW $\frac{1}{4}$	17	3S	12E	40.00
12	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	3S	12E	25.50
13	NE $\frac{1}{4}$ NE $\frac{1}{4}$	19	3S	12E	40.00
14	SE $\frac{1}{4}$ NE $\frac{1}{4}$	19	3S	12E	30.00
15	SW $\frac{1}{4}$ NW $\frac{1}{4}$	20	3S	12E	1.20
Total					200.30

Form 6 - Notice of Intent to Appropriate Water

No. 1241-2

Publish first publication, on or before March 6, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 7, 1975

Notice is hereby given that Donald R. Thorson & Chauncey D. Taylor
whose post office address is Scenic, 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
6.53 cubic feet of water per second of time from the Cheyenne River through the
Thorson - Taylor #1, the point of diversion of which is to be located in the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 19, Twp. 38, Range 12E. Said water to be used for the purpose
of providing irrigation ^{all or portions of} the following described land:
SW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 8, Section 17; Lot 2, Section 18; E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lots 5, 6, 7, 8 and 9, Section 19; W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 20, all in
T38, R12E

This application No. 1241-2 will be considered by the Water Rights Commission at its office at
Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Donald R. Thorson, Scenic, S.D. 57780

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1241-2

(1) WHEREAS, On the 6th day of February A.D. 1975
Donald R. Thorson & Chauncey D. Taylor

made Water Right Application No. 1241-2 for a permit to use 6.53 cubic feet per second of the waters
of the Cheyenne River
County of Pennington, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 20th day of March A.D. 1975
Permit No. 1241-2, with a date of priority of February 6, 1975

was issued to said applicant S for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 20th day of March A.D. 1980 and for the
application to beneficial use of said water on or before the 20th day of March A.D. 1984

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 2.78 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,
to irrigate the following lands all in T3S-R12E:

Following lands owned by Chauncey Taylor - owned by Donald R. Thorson			
Section 19	acres	Section 17	acres
Lot 5	33.55	Lot 8	8.00
Lot 6	52.25	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
Lot 7	27.74	Section 18	
Lot 8	38.20	Lot 2	34.90
SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.00	Section 19	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	27.80	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00
NE $\frac{1}{4}$ SW $\frac{1}{4}$	9.00	SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.00
Lot 9	22.40	Section 20	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	25.5
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2
		Total acres	436.94

(5) NOW, THEREFORE, by the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Donald R. Thorson & Chaucey D. Taylor

of Sconic, SD

the holder s and owner s of said permit No. 1241-2 a water right, dating from February 6, 1975

to use of 2.73 cubic feet per second of the waters of the Cheyenne River

In the County of Perrington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 920' north and 1550' west of the SE Corner, Section 19-T3S-R12E

and conducted to and upon portions of land in Sections 17, 18, 19 and 20, T3S-R12E, more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1241-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1241-2

Water Diversion No. 2 East Cheyenne River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Donald R. Thorson & Clarence D. Taylor

_____ the holder _____ of
Permit No. 1241-2, issued upon Application No. 1241-2, bearing date of priority of February 6,
1975 authorizing the diversion of 6.55 cu. ft. per second of the waters of the
Cheyenne River County of Pennington, State of South Dakota at a
point 920' north and 1550' west of the S $\frac{1}{4}$ Corner, Section 19-
T3S-R12E

_____, for _____ irrigation _____

purposes, have complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.78 cu. ft. per second of water.

Date January 20, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

Permit No. 1241-2Water Division 2 East Cheyenne River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Donald R. Thorsen
Chauncey D. Taylor of Spink, S. Dak 57780 holder
 of Permit No. 1241-2, bearing date of priority of February 6, 1975
 authorizing the diversion of 6.53 cu. ft. per second of the waters of Cheyenne River
 for Irrigation purposes, in Pennington County.

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

The Water Use System consists of,

A. Works used to divert the water:

15 H.P. Electric Motor. (no tag)
Parma Water Lift Pump. 4V Belt Driven
Pumping 1250 gpm

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

Ditches

C. Works used to apply water to beneficial use.

Diversion Ditches - Flood IrrigationThe system is in the following condition: Good.

The point of diversion is located 920 ft N and 1550' W of the S $\frac{1}{4}$ Cor.
Sec. 19, T35 R12 E

The works are capable of diverting and conveying to the place of use 2.78cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: The following in Sec. 19,

T35 R12 E, Lot 5 - 33.55 Ac., Lot 6 - 52.25 Ac., Lot 7 - 27.74 Ac.
Lot 8 - 38.2 Ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40.0, NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 27.80, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 35.4 Ac.
Lot 9 - 2.4 Ac. The following in Sec. 17, T35 R12 E, Lot 8 - 8.0 Ac.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 Ac., The following in Sec. 18, T35 R12 E, Lot 2 - 34.9 Ac.

comprising a total of 436.94 acres of land. The following in Sec. 19, T35 R12 E
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40.0 Ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 30.0 Ac.

License for 2.15 cfs.

The following in Sec. 20, T35 R12 E
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 25.5 Ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 1.2 Ac.

Date April 30, 1980

Leroy J. Monahan, Jr.
 (Signature)

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Pennington) ss.

I, George Michalov hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Rapid City Journal

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 Rapid City
County of Pennington and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

March 6 & 13, 1975

George Michalov
(Signature)

(Title) VicePres & Controller

March 13, 1975

(Date Signed)

March 6, 13, 1975
NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
February 7, 1975

Notice is hereby given that Donald R. Thorson & Chauncy D. Taylor whose post office address is Scentic, 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 6.53 cubic feet of water per second of time from the Cheyenne River through the Thorson-

Taylor No. 1, the point of diversion of which is to be located in the SW 1/4 SW 1/4 of Section 19, Twp. 35, Range 121. Said water to be used for the purpose of providing irrigation on all or portion of the following described land: SW 1/4 NW 1/4 and Lot 8, Section 17; Lot 2, Section 18; E 1/4 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 NE 1/4 and Lots 5, 6, 7, 8 and 9, Section 19; W 1/4 NW 1/4, Section 20, all in T35, R12E.

This application No. 1241-2 will be considered by the Water Rights Commission at its office at Pierre upon the 19th day of March, 1975, at 2:30 P.M. All interested persons may appear and be heard.
WATER RIGHTS COMMISSION
By: BURTON F. JONES
Water Rights Specialist

No. 1241-2

Date _____ 1975

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

Dear Sirs:

We are in receipt of your letter of Feb. 7, 1975 enclosing Notice of Proposed Appropriation of Water, as proposed in Application No. 1241-2, which was first published in our issue of _____, 19_____.
Enclosed is a copy of this first publication.

Sincerely,

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7881

PIERRE, January 5, 19 81

RECEIVED OF Donald Thorson, Scenic, SD 57780

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	1241-2	50	00
Fee for inspecting Construction, and issuing Cert. of Construction No.	1241-2		
Fee for inspecting Beneficial Use, and issuing Water License No.			
Fee for issuing Location Certificate-Dry Draw, No.			
Fee for filing			
Fee for certified copy of			
Fee for Print copy of map			
Fee for Certifying			
Fee for			
(any other work as provided by law)			
TOTAL		50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH /bt



Department of Water & Natural Resources

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

March 31, 1986

Notice

Donald Thorson
RR 2, Box 58
Scenic, SD 57780

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 1241-2. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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. Amend Permit No. 1241-2 to require the Irrigation Water Use Questionnaire to be submitted ;
2. Postpone any ;
3. Take no action.

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

Sincerely,

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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Donald Thorson
RR 2 Box 58
Scenic SD 57780

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

SUBJECT: Amendment to Water Permit No(s). 1241-2

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 1241-2 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.

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

Attachment to Water Permit No. 1241-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 1241-3 to add the following qualification:

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

Equal Opportunity Employer

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

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

January 29, 1988

DONALD R THORSON
HCR 47 BOX B
SCENIC, SD 57780

NOTICE

Re: Violation of Water Permit No(s). 1241-2

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 1241-2. 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). 1241-2 qualification:

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

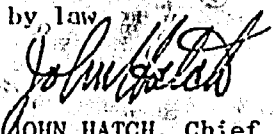
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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). 1241-2 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.

**SOUTH DAKOTA 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: DONALD R THORSON
HCR 47 BOX 8
SCENIC, SD 57780

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



SUBJECT: One Year Suspension Of Water Permit No(s). 1241-2

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). 1241-2 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.

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

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

April 1, 1988

NOTICE

TO: Donald R Thorson
HCR 47 Box 8
Scenic, SD 57780

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

SUBJECT: 1987 Irrigation Questionnaire

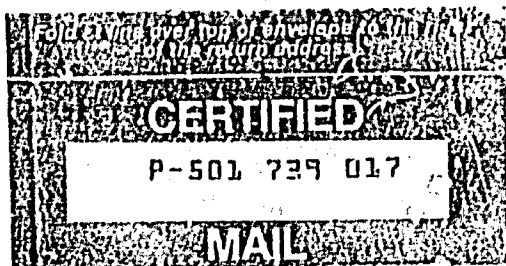
John Hatch

The attached notice was sent certified mail return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you March 15 and March 23, 1988 to pick up and sign for the certified mail.

If you have any questions, please contact us.

SOUTH DAKOTA
DEPARTMENT OF
WATER & NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

RETURNED TO SENDER
REASON CHECKED
 Undelivered ☒ Addressed ☐
 Addressee unknown ☐
 Insufficient Address ☐
 No such street ☐
 No such office in name ☐
 Do not remain in this envelope



DONALD R THORSON
HCR 47 BOX 8
SCENIC, SD 57780

CLAIM CHECK
 NO.
471823

☐ HOLD

DATE

3/15
 1ST NOTICE

3/23
 2ND NOTICE

3/30
 RETURN

Detached from
 PS Form 3843-A
 Oct. 1980

CERTIFICATION

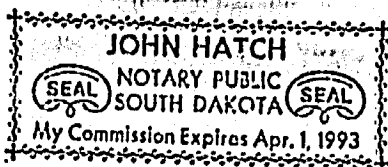
I hereby certify that on April 1, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice concerning the 1988 Irrigation Questionnaire addressed as follows:

Donald R. Thomson
HCR 42, Box 11
Scenic SD 57760

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 4th day of April, 1988.



John Hatch
Notary Public

SOUTH DAKOTA
Department of
Water & Natural Resources

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

August 3, 1988

NOTICE

TO: Donald Thorson, RR #1 Box 58, Scenic, SD 57780
Chauncey Taylor, Hermosa, SD 57744

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

John Hatch

SUBJECT: Reinstatement of Water Right No. 1241-2

The Water Management Board, during their July 27, 1988 meeting, rescinded the suspension of Water Right No. 1241-2. You are now authorized to irrigate during the 1988 irrigation season.

This action was initiated by the Division after an inspection of the system and a review of the water right file found improper notice was given. The annual irrigation questionnaire and subsequent notices were sent to Donald Thorson only and should have been sent to both water right holders.

The water right is currently in the process of being split so that the lands irrigated by each of you are under separate water rights (1241A-2 and 1241B-2). This will insure that future irrigation questionnaires and all notices will be sent to both of you.

If you have any questions concerning the Board action, please contact us.



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Department of Water & Natural Resources

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

July 12, 1989

NOTICE

TO: Cheyenne River Irrigators

FROM: *for* John Hatch, Chief Engineer
Division of Water Rights *James Winterton*

SUBJECT: Shutoff Order for water rights in the Cheyenne River
reach from the Angostura Dam to Rapid Creek with
priority dates after 1965.

Due to the present low flow conditions in the Cheyenne River, the following water rights must cease withdrawals of water from the Cheyenne River for the remainder of this irrigation season. This order is effective July 14, 1989. Additional shutoffs may be necessary if conditions show the need.

PERMIT NO.	NAME	PRIORITY DATE
1241-2	Donald R. Thorson, Scenic	02/06/75
1923-2	Rittburger Beef & Dairy, Buffalo Gap	03/15/85
1613-2	Rittberger Beef & Dairy, Buffalo Gap	10/28/77
1408-2	RIBOB-ELJIM-KADEN, Sioux Falls	06/06/77
1754-2	Earl Stombaugh, Buffalo Gap	01/27/81
1109-2	Lloyd Neugebauer, Orle	04/21/72
1882-2	Roland/Donna March, Hot Springs	05/29/84
1024-2	Clarence Weiner, Hermosa	05/22/70

If you have any questions, please contact Jim Winterton,
Division of Water Rights, Joe Foss Building, Pierre, SD 57501.
Phone (605) 773-3352.

cc: Water Right Holders on the Cheyenne River in the Reach from
Angostura Dam to the Rapid Creek Confluence



SOUTH DAKOTA
Department of
Water & Natural Resources

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

July 19, 1989

NOTICE

TO: Cheyenne River Irrigators

FROM: *for* John Hatch, Chief Engineer
Division of Water Rights *James E. Winterton*

SUBJECT: Rescission of Shutoff Order for the following water rights in the Cheyenne River reach from the Angostura Dam to Rapid Creek with priority dates after 1965.

PERMIT NAME
NO.

PRIORITY
DATE

1241-2	Donald R. Thorson, Scenic	02/06/75
1923-2	Rittburger Beef & Dairy, Buffalo Gap	03/15/85
1613-2	Rittburger Beef & Dairy, Buffalo Gap	10/28/77
1408-2	BOB-ELJIM-KADEN, Rapid City	06/06/77
1754-2	Earl Stombaugh, Buffalo Gap	01/27/81
1109-2	Lloyd Neugebauer, Oral	04/21/72
1882-2	Roland/Donna March, Hot Springs	05/29/84
1024-2	Clarence Werner, Hermosa	05/22/76

In followup to my telephone discussion with many of you on July 19, 1989, the shutoff order is rescinded. The present flow conditions in the Cheyenne River appears to be of a sufficient quantity to allow continued irrigation at least for the time being. This notice is effective July 19, 1989. Controls may still be necessary if the downstream flows again are reduced to a point where adverse impacts are caused prior water rights and domestic uses. If this occurs, I am open to any suggestions on how we could manage and regulate the use to assure continued flows.

If you have any questions, please contact Jim Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501. Phone (605)773-3352.

cc: Water Right Holders on the Cheyenne River in the Reach from Angostura Dam to the Rapid Creek Confluence



REPORT ON INVESTIGATIONS OF SUSPENDED PERMITS
1988 Assignments

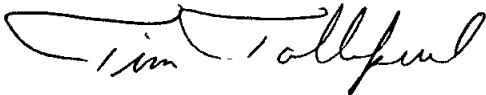
I was assigned to investigate the suspended water rights in Campbell, Edmunds, Faulk, Brown, McPherson, and Pennington Counties. I investigated the following permits:

Water Permit No. 2330-3, Michael McHugh

This permit is located in Brown County. On May 27, 1988 I inspected the land authorized for irrigation by this permit and there were not any systems present. On June 29, 1988 I spoke to Mr. McHugh by telephone. He indicated he had one center pivot but had sold it several years ago. He has not irrigated since 1984 or 1985 and did not plan on purchasing any new equipment to irrigate. This permit will be considered for cancellation at the October 5, 1988 Water Management Board Meeting.

Water Permit No. 1241-2, Donald R. Thorson & Chauncey Taylor

This permit is in Pennington County. The irrigation questionnaire and all notices were only sent to Mr. Thorson. Mr. Taylor did not receive the questionnaire or the notices. Both parties should have received the questionnaire and the notices. The Water Management Board, during their July 27, 1988 meeting, rescinded the suspension. It is currently in the process of being split so that the lands irrigated by Mr. Thorson and Mr. Taylor are under separate water rights.



Tim Tollefsrud
Natural Resources Engineer
September 1, 1988