

1436-2

1. Considered 9-29, 1976
2. Name of Applicant ROLAND DUMMER
3. Post Office Address BONESTEEL
4. Amount of water claimed .90 (180 AC FT STORAGE)
5. Source of water supply BURNT ROCK DRAINAGE
6. Water to be used for IRRIGATION
Acres to be irrigated 62
7. Water to be diverted and used in GREGORY County
about 5N, 2W miles of BONESTEEL
8. Proof of Publication Received 1st 10-4-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks _____

Map No. 1217-2 Water Division No. 2 WHITE RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Roland Dummer
Postoffice address Bonesteel, State S.D. 57317
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Dummer #1
4. Amount of water claimed (cubic feet per second) 1 cfs
5. Source of water supply Burnt Rock Drainage and runoff
6. Location of point of diversion App 160 rods NNE of center of Sec 10-96-69
(See map attached)
County Gregory
7. Annual period or periods during which water is to be used Jan-1-Dec-31 Annually MARCH thru NOVEMBER
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 62

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.
NE of NW 10-96-69	9	SW of NE 10-96-69	10
SE of NW 10-96-69	8		
NE of NE 10-96-69	35		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 4 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Bonesteel Enterprise
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
Pump from Burnt Rock Creek into Storage DamB. Works proposed to transport water to place of use.
PipelineC. Works proposed to apply water to beneficial use.
Big gun irrigation or tow lineEstimated Total Cost \$ 30,000Attachments: 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 GregoryI, Roland Dummer, 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.

Subscribed and sworn to before me this

Signed Roland DummerDay of Sept19 76

Notary Public (or other qualified officer)

Regester J. Reed

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1436-2

ROLAND DUMMER
(Applicant)

BONESTEEL
(Post Office Address)

SOUTH DAKOTA 57317
(State)

With the following modifications:

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

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 180 ACRES FEET OF WATER ANNUALLY.

Date of first receipt of application SEPTEMBER 8 19 76
Date of return to applicant for correction, amendments or changes required _____ 19 ____
Date of receipt of corrected application _____ 19 ____
Approved SEPTEMBER 29 19 76 Recorded in Book 15 Page 346

WATER RIGHT PERMIT NO. 1436-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1436-2 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 SEPTEMBER 8 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 29 19 78
3. The whole of said work is to be completed on or before SEPTEMBER 29 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29 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 1.0 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 SEPTEMBER 29 19 81; said water to be used during the following described annual period: _____

Witness my hand this 22ND day of NOVEMBER 19 76

WATER RIGHTS COMMISSION

By:

John Holsh
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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) Filtered 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.

Estimated height would be 30 ft.

Estimated water depth would be 25 ft

Estimated surface area would be 10 acres

Estimated storage area would be 180 acre feet

Estimated only one dam would be needed.

Richard F. Dummer
Signature of Applicant

Form 6 - Notice of Intent to Appropriate Water

No. 1436-2

Publish first publication, on or before September 16, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

September 9, 1976

Notice is hereby given that Roland Dummer
whose post office address is Bonesteel, 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
90 cubic feet of water per second of time from the Burnt Creek drainage through the
Dummer # 1, the point of diversion of which is to be located in the
NE 1/4 NW 1/4 and NE 1/4 NE 1/4
of Section 10, Twp. 46N, Range 60W. Said water to be used for the purpose
of providing irrigation on the portions of following described land:

NE 1/4 NW 1/4, NE 1/4 NE 1/4, Section 10, T46N, R60W

This application No. 1436-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 16th day of September, 1976, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

EFJ/ER

cc: Roland Dummer, Bonesteel, S. D. 57317

No. 1436-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Gregory) ss.

I, Dean R. Schulka hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bonesteel Enterprise

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 Bonesteel

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

Sept 16
Sept 23

Dean R. Schulka
(Signature)

Publisher
(Title)

Sept 30 1976
(Date Signed)

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
September 9, 1976

Notice is hereby given that Roland
Dummer whose post office address
is Bonesteel, So. Dak. has made an
application in accordance with the
provisions of the water laws of So.
Dak. for a permit to appropriate for
beneficial use 4.90 cubic
feet of water per second of time from
Burnt Creek drainage through the
Dummer #1 the point of diversion
of which is to be located in the NE 1/4
NW 1/4 and NE 1/4 NE 1/4 of Section 10,
Twp 96N, Range 69W. Said water to
be used for the purpose of providing
irrigation on portions of the following
described land:
E 1/2 NW 1/4, W 1/2 NE 1/4, Section 10,
T96N, R69W.

This application No. 1436-2 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 19th day of September,
1976, at 10:15 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
S-16-23-C



Le Roy Lapp - Burke

Nezary - Roland Nummer

March 29, 1979

W/R 1-136-2 called about moving pump on Burnt Rock Creek 100 yds down stream on another mans land (will send permission statement to include with W/R) Is not using the storage part of W/R using only 40 ac ft of water, does not plan on building dam. Told him he was within ^{Legal} the provisions of his permit as advertised.

WATER EASEMENT



This agreement made between Sidney Johnson of Bonesteel, SD and Roland Dummer of Bonesteel, SD in regard to water rights. It is agreed by Sidney Johnson to allow Roland Dummer to pump water (for irrigation) from Section Three (3), Township (96) north, Range Sixty-nine (69), West of the 5th P.M., Gregory County, South Dakota, said Sidney Johnson being the owner of the above described land. Dated this 18th day of June, 1979.

Sidney Johnson
Sidney Johnson

Roland Dummer
Roland Dummer

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF GREGORY)

On this the 18th day of June, 1979, before me, B.R. Hausmann, the undersigned officer, personally appeared Sidney Johnson and Roland Dummer, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

B. R. Hausmann
B. R. Hausmann
Notary Public

My commission expires Jan. 13, 1980

11-26-80

This permit^{file} contains
a disapproved
water quality for
use of water from
a 1000' well. Permit
was issued for
surface water only.
If final inspection
reveals source of
supply is actually
a flowing well draining
into creek, then we
will need to take further
action. Water Quality
approval not required
for surface water use
in 1976.

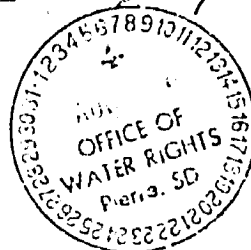
J. H. H. H.

Form 10.

No.

1436-2

Gregory



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office

Pierrel RR 2

Date

August 1, 1977

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1436-2

Water Right Permit No. 1436-2 states that the diversion system is to be constructed by September 8, 1976 and that the water is to be put to beneficial use by September 29, 1980.

The diversion system was completed on June 10, 1979.
Applying the water to beneficial use was completed on June 10, 1979.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Robert F. Dammann
(Signature)

State of South Dakota
Water License No. 1436-2

(1) Roland Dummer
of RR #2, Box 27, Bonesteel, South Dakota 57317
made Application No. 1436-2, September 8, 1976 for a water permit to appropriate
1.0 cubic feet per second of water from Burnt Rock Drainage,
Gragory County, South Dakota for Irrigation purposes.
Permit No. 1436-2, with a priority date of September 8, 1976
was approved September 29, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 29, 1980 and for the application to beneficial use of said
water on or before September 29, 1981.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.71 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1782 feet E from the NW corner
of Section 10, T¹ R69W (BA)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to Irrigation the following land all in Section 10,

T96N, R64W

NW 1/4 NE 1/4 32.1 acres (AB)

NE 1/4 NW 1/4 13.6 " (BA)

SE 1/4 NW 1/4 4.3 " (BD)

TOTAL 50.0 acres

(4) Pursuant to §46-5-30.1 Roland Dummer

of Pt 2, Box 27, Bonesteel, South Dakota 57317

the holder(s) and/or owner(s) of Water Permit No. 1436-2 issued a license to appropriate water, the right to use

0.71 cubic feet per second of water from Burnt Creek Drainage with a priority date

of September 8, 1976 from the location specified in (2) of this license. The water to be

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

This license is subject to any limitations or qualifications listed in Water Permit No. 1436-2 and subject to South Dakota State Law.

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

December 29, 1983

Permit No. 1436-2White River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Roland
Dummer of RP #2, Box 27, Bonesteel, SD holder of
 Permit No. 1436-2, bearing the priority of September 8 19 76 authorizing
 the diversion of 1.00 cu. ft. per second of the waters of Burnt Rock Drainage
 for irrigation purposes, in Gregory County.

I have to report on the conditions of the same as follows: Pump: Berkeley
imp. 5 1/2 in.
S.N. 7695894
M.N. B2 1/2 JRM8M CV

A. Works used to divert the water:
 motor: Plymouth V8
propane
(no plates)

B. Works used to transport water to place of use: Pipeline: size 6 in.
type Aluminum
length 2,640 ft.

C. Works used to apply water to beneficial use:
size 4 in.
Towline: length 2640 ft.
rainbird sprinklers

The system is in the following condition good

The point of diversion is located Burnt Rock Drainage: 1782 ft. E from
the NW corner of sec 10, T96N, R69W

The works are capable of diverting and conveying to the place of use .89

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: all in T96N, R69W

		Acres
<u>NW 1/4 NE 1/4</u>	<u>sec 10</u>	<u>32.1</u>
<u>NE 1/4 NW 1/4</u>	<u>sec. 10</u>	<u>13.6</u>
<u>SE 1/4 NW 1/4</u>	<u>sec. 10</u>	<u>4.3</u>

comprising a total of 50.0 acres of land and the license should be issued for 2.71 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date July 6, 1983

R. D. Wall
 (Signature)

LICENSE FOR PERMIT NUMBER 1436-2

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____

b) model _____ b) model no. _____

c) size _____ c) horsepower rating _____

d) capacity _____ GPM d) motor efficiency rating _____

e) turbine pump
no. of stages _____

3. Distribution lines: Pipeline

a) size of lines 6 in.

b) type Aluminum

c) length 2640 ft.

4. Dam Information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

1) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

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 _____

b) towline: Capacity 400 gpm

1) length 2640 feet

2) make, model & number of sprinklers

rainbird

3) spacing of sprinklers 40ft

4) nozzle size _____

5. System Type: c) center pivot

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

g) Gun

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

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

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

h) Hydromatic

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

YES

NO

Check Items

✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

✓

2. Special Qualifications to permit being abided by.

✓

3. All Structures, wells and lands on map.

REMARKS:

Pump : Berkeley
imp. 5½ in.

S.N. 7695894

M.N. B2½ JRMBM CV

Motor : Plymouth 1/8
propane
(no plates)

Division of Water Rights
605 773-3352

July 11, 1983

1436-2

Roland Dummer
Bonesteel,
South Dakota 57317

Dear Mr. Dummer:

On July 6, 1983, we visited your farm for the final inspection of your water permit No. 1436-2. The hired man showed us which lands were presently being irrigated. The lands described to us are marked on the enclosed map.

The purpose of this final inspection is to compare the original conditions of the water permit with what has been developed. The water permit must then be updated to comply with what has been developed. After all necessary corrections have been made, the water permit becomes a water right.

Development of your project was to be completed by September 29, 1980. If you have irrigated any additional lands (other than those marked on the enclosed map), prior to September 29, 1980, please mark them on the map and return it to me. This is important because any lands not being irrigated which were on the original application will be dropped off the water right due to nondevelopment. I would also like to know the overall length of your towline and the pipeline from the dam to the towline.

Please return the map with your changes, if any, and answer my other questions if you know the lengths. If I do not hear from you within 60 days, I will assume the lands outlined on the map are correct and any nondeveloped acreage from the original permit will be dropped. Thank you for your time and consideration.

Sincerely,

RON DUVALL
Water Resources Engineer

RD:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1436-2

December 7, 1983

Roland Dummer
RR#2, Box 27
Bonesteel, South Dakota 57317

Dear Mr. Dummer:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1436-2 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 issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/

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

DWNR-814 8/83

RECEIPT

Division of Water Rights

Nº 4 9463

South Dakota Department of Water and Natural Resources

Pierre, December 29, 1983

RECEIVED OF Roland or Debra Dummer, Route #2, Box 27, Bonesteel, SD 57317

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. 1436-2	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

Chief Engineer

JOHN HATCH/ms

No. 1436-2

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

December 30, 1983

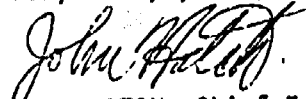
Roland Dummer
RR #2, Box 27
Bonesteel SD 57317

Dear Mr. Dummer:

Enclosed herewith is, Water License No. 1436-2. This is the final water right document completing the process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

WNR-817 3/83
Transmittal of Water License

 **Department of
Water & Natural Resources**

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

May 26, 1988

Roland Dummer
RR 2, Box 27
Bonesteel, SD 57317

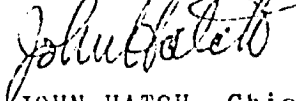
Dear Mr. Dummer:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 1436-2.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

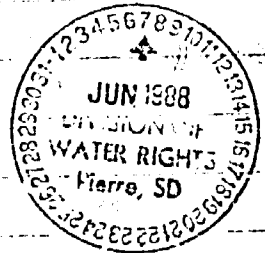
Very truly yours,



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



Water + Natural Resources



Dear Sirs:

In regard to your letter concerning our water permit. We were not aware that we could lose our water permit. We thought once we received our water permit it was always ours.

One of the main reasons we haven't pumped is due to having trouble with grasshoppers for the last two years. We sprayed our fields but that didn't stop them. When they moved out of the pastures back onto the alpha fields. We had to finally plow them up. And these were the fields we pumped water on. This year we have reseeded our fields and are planning on pumping water.

We really need and want to keep our water permit. It is really important to our farming & Ranching operation that we keep our water permit.

We regret that we didn't fully understand how our water permit was to be used. But we sincerely hope this letter will let you know how much we need and want our permit.

If this doesn't answer your question or why we haven't used water please feel free to call us.

me & Mrs. R. J. Dummer

605-654-2275

P.R. 2 Box 27

Bonesteel, Pa. 15006-5731

Department of Water & Natural Resources

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

February 17, 1989

Roland Dummer
RR 2, Box 27
Bonesteel, SD 57317

Dear Mr. Dummer:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



L

Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: ROLAND DUMMER, RR 2 BOX 27, BONESTEEL, SD 57317 9530

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 1436-2. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1436-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

ROLAND DUMMER
RR 2 BOX 27
BONESTEEL SD 57317 9530

1436-2

4a. Article Number

Z 179 157 190

4b. Service Type

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

7. Date of Delivery

1-10-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Roland Dummer

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

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

1436-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

1436-2

Roland Dummer
RR 2 Box 27
Bonesteel, SD 57317-9530

Dear Mr. Dummer:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 1436-2.

I completed a questionnaire for you based on your January 13th telephone conversation with Cheryl Frost. 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,

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

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

1436-2

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROLAND DUMMER
RR 2 BOX 27
BONESTEEL SD 57317 9530

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1-20-01

C. Signature

X

Roland Dummer

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3666

PS Form 3811, July 1999 Domestic Return Receipt

102595-00-M-0952



1436-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: ROLAND DUMMER, RR 2 BOX 27, BONESTEEL, SD 57317 9530

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 1436-2. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 1436-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2001

1436-2

Roland Dummer
RR 2 Box 27
Bonesteel SD 57317-9530

Dear Mr. Dummer:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2000, "Notice" concerning reporting requirements for Water Right No. 1436-2.

I completed a questionnaire for you based on our January 22nd 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

PL. PIPELINE

PL. IRR DAM

④ 45 AC.

HAYLAND (T)
IRR.

16ES
4-2

19B
25-0

⑥ 17 AC.

HAY (T)
IRR.

16E-1

DEBART ROCK CREEK

SEC. 10 - 96-69

96-69

Roland Dummer
Bonsteel, S.D
Gregory County

chain
two fields
on 2KK-155

APP. 1031272 APP. 10 1436-2

Map 1031272

License # 1436-2

NOT TO SCALE

96-69

129R Farm

41.9

38.5 ac

21

2.4

14.0

12.3 ac.

6.0

2.0

1.8

12.3

2.6

3.6

2.3

10

sec 10, T96N, R69W

3.6

96-69

NOT TO SCALE

96-69

129R

7.1

41.9

2.1

1.4

2.4

14.0

6.0

2.0

1.8

12.3

2.6

3.6

2.3

0.10

3.6

96-69

