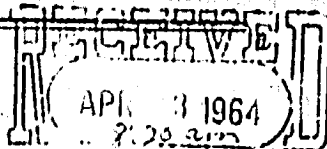


1105-3

1. Considered 7-15, 1960
2. Name of Applicant Leon Osborn
3. Post Office Address Redfield
4. Amount of Water Claimed 4.14
5. Source of water supply James River
6. Water to be used for irrigation
Acres to be irrigated 290
7. Water to be diverted and used in Spink County about
4E 3N Miles of Redfield
8. Proof of Publication Received ~~pro~~ V
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 11053Water Division No. 3 James River District _____
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION
PIERRE COUNTY, S.D.

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Leon Osborn
Postoffice address Redfield, County Spink, State S.D.

I. If a corporation _____

(a) Name of same _____

(b) Date and place of incorporation _____

(c) Amount of capital stock _____

(d) Amount paid in _____

(e) Names and addresses of directors _____

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

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

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

(b) Cash on hand, \$ as requested

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Osborn Irrigation Project3. Amount of water claimed 4.14 cubic feet per second4. Source of water supply James River5. Location of point of diversion 800' West & 1320' North of SE corner Section 30-117-63& 830' East & 1320' N of SE corner Section 30-117-63 on both bank Spink County.6. Annual period or periods during which water is to be used April 1st to Nov 1st

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkling(a) Number of acres to be irrigated 290 acres.E 1/2 of SW 1/4 & SE 1/4 Section 30 Except for River Channel & E 1/2 of SW 1/4 Section 29(b) Legal subdivisions to be irrigated 117-63

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____

Name any of the above uses claimed _____

Map No 738-3

896154mm

8. Estimated cost of work:

(a) Head Gates, \$.....

(c) Fluming, \$.....

(e) Other structures

(d) Canal earth, \$.....

(b) Pumping plant, \$7,500⁰⁰.....

Rock, \$.....

Total, \$25,000⁰⁰.....

9. Description of diversion works:

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

II. Dimensions of works.

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

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

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....3.....years.

11. Time required for complete application of water to the proposed beneficial use.....5.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....

Redfield Press

STATE OF SOUTH DAKOTA

County of *SPINK* } ss.

I, *Leon Osborn*

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

Signed *Leon Osborn*

Subscribed and sworn to before me this *5TH* day of *NOVEMBER* 19*63*.

D. J. Long
Notary Public (or other qualified officer.)

My Comm. Expires 2-1-65

OSBORN IRRIGATION PROJECT No. 1

64-3350-H18-26

M A P

SHOWING AREAS TO BE IRRIGATED AND POINTS OF DIVERSION ON THE JAMES RIVER WHERE WATER WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE WATER

AREAS BY LEGAL SUBDIVISION:

Section 29, Township 117 North, Range 63 West of the 5th Principal Meridian
East 1/2 of the Southwest Quarter
Section 30, Township 117 North, Range 63 West of the 5th Principal Meridian
Southeast 1/4 of the East 1/2 of the Southwest Quarter

TOTAL ACRES = 290
STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS

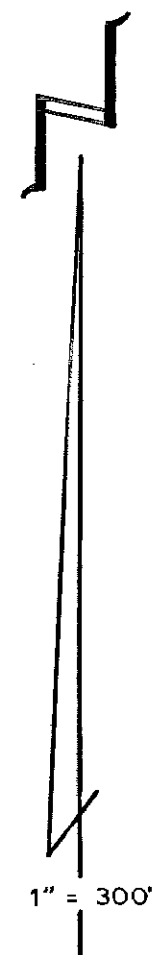
I, Jack T. Vosler, a registered and licensed land surveyor, in and for the State of South Dakota, do hereby certify that at the request of Leon Osborn, owner, I have shown the lands proposed to be irrigated by diverting waters from the James River within his ownership boundaries. All as shown hereon as of April 1st, 1964 A.D. and for which request for appropriative water is made and that this map is a true representation thereof.
In witness thereof I place my hand and seal this 9th day of April, A.D., 1964.

Jack T. Vosler
Jack T. Vosler, Land Surveyor -- South Dakota Registration No. 956

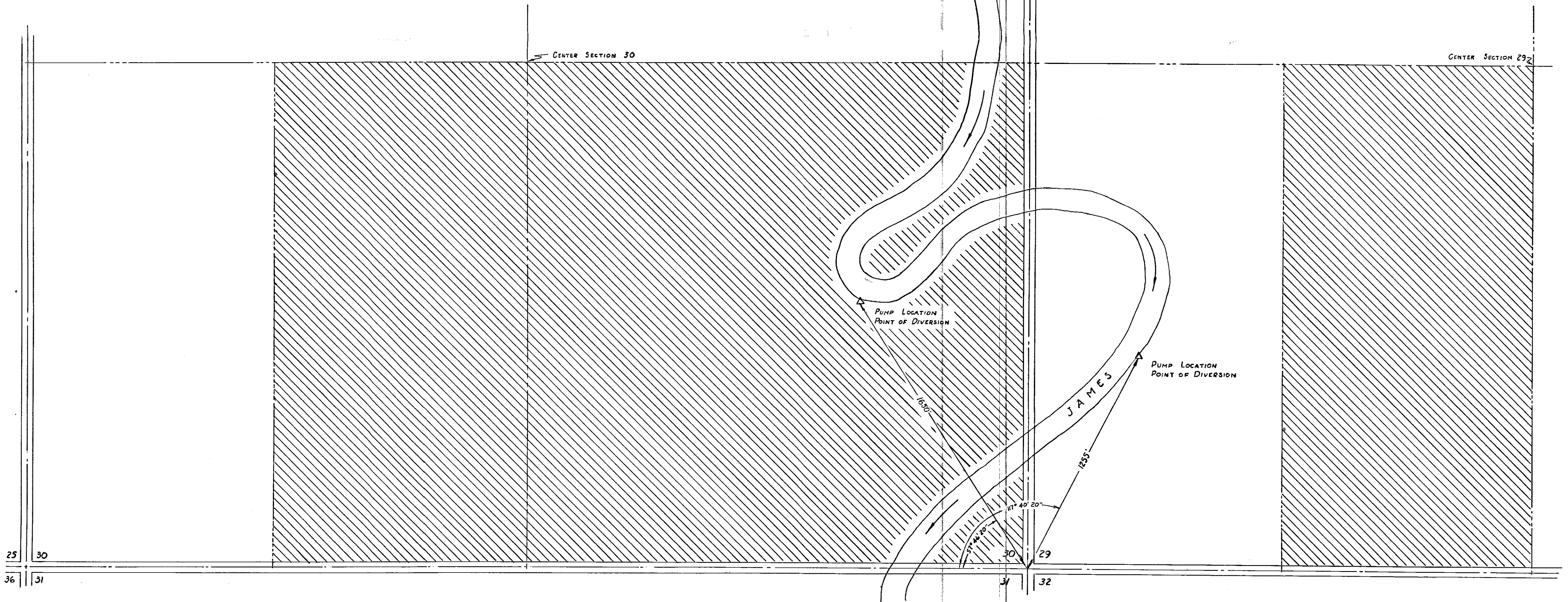
STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS

On this 9 day of April, A.D., 1963, before me, a Notary Public, personally appeared Jack T. Vosler, known to me to be a registered land surveyor and the person who executed the foregoing instrument and he acknowledged to me that he executed the same as his own free act and deed.

Henry R. Brubaker
Notary Public, Beadle County, South Dakota
My Commission expires July 18, 1968



SCHOELL AND MADSON
ENGINEERS AND SURVEYORS
HURON, SOUTH DAKOTA



Map No. 1105-3 (Appl No 1105-3)

Remarks by State Water Resources Commission:

Diversions of water under this permit can be made only when there is excess water to that being stored and to that being released for prior water right use downstream. Normally such excess water is that water that overflows the spillway of the James River Diversion Dam.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, September 24, 1964

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock
a.m. upon the 13th day of April, 1964

State Water Resources Commission

By:

Donald W. Winick
for Chief Engineer, Executive Officer

Number of permit 1105-3

Date of first receipt of application April 13th, 1964

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

Date of receipt of corrected application -, 19-

Date from which applicant may claim right April 13th, 1964

Approved September 17, 1964, Recorded in Book 8 Page 241

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

March 17, 1964

2nd. The whole of said work is to be completed on or before September 17, 1964

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

September 17, 1964

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 4.17 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before September 17, 1964; said water to be used during the following described annual period:

April 1st to November 1st

Witness my hand this 24th day of SEPTEMBER, 1964

State Water Resources Commission

By:

Joe Brune
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 24, 1964

Water License Issued OCTOBER 24, 1964

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1105-3

(1) WHEREAS, On the 13th day of April A. D. 1964
Leon Osborn

made Water Right Application No. 1105-3 for a permit to use 4.14 cubic feet per second of the waters
of the James River
County of Spink, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 24th day of September A. D. 1964
1105-3 April 13, 1964
Permit No. with a date of priority of

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 17th day of September A. D. 1967 and for the
application to beneficial use of said water on or before the 17th day of September A. D. 1969

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 4.14 cubic feet
per second of water for beneficial use and,

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

for irrigating the following land in T117N, R63W

Section 29	E½ SW¼	80 acres
Section 30	E½ SW¼	80 acres
	SE¼	130 acres
	Total	290 acres

(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 _____

Leon Osborn

_____ of _____

Redfield, South Dakota

the holder _____ and owner _____ of said permit No. 1105-3 a water right, dating from April 13, 1964

_____ to use of 4.14 cubic feet per second of the waters

of the James River

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at between points 800' W. and 1320' N, and 830' E. and

1320' N. of the SE Corner, Section 30, T117N, R63W

and conduct to and upon portions of the S $\frac{1}{2}$, Section 30 and SW $\frac{1}{4}$, Section 29, T117N, R63W,

described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1105-3 and subject to the laws of the State of South Dakota.

WITNESS My hand and seal of our office at Pierre, South Dakota
this 24th day of October A. D.

Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 1105-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leon Osborn

_____ the holder _____ of
Permit No. 1105-3, issued upon Application No. 1105-3, bearing date of priority of April 13,
1964 authorizing the diversion of 4.14 cu. ft. per second of the waters of _____
the James River _____ County of Spink, State of South Dakota at _____
between points 800' W. and 1320' N. and 830' E. and 1320' N. of the SE Corner,
Section 30, T117N, R63W
_____, for irrigation

_____, has _____ 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 4.14 cu. ft. per second of water.

Date October 24, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before
(First Publication June 18, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 8, 1964

Notice is hereby given that Leon Osborn whose postoffice address is Redfield S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.14 cubic feet of water per second of time from the James River through the Ostorn Irrigation Project, the point of diversion of which is to be located on ~~xxx~~ both between a point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, and a point in the bank of said stream in the SW $\frac{1}{4}$ $\frac{1}{4}$ of the SW $\frac{1}{4}$ $\frac{1}{4}$ of Section 29 portions of Twp. 117N Range 63W. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 30; E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 29, T117N, R63W

~~and/or~~ ~~purpose~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

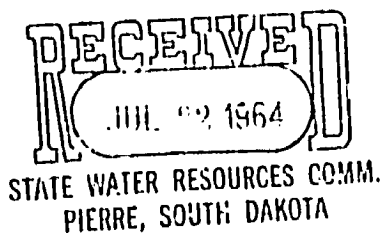
State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Harold Jones, Publisher
Redfield Press
Redfield, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Spink } ss.Harold D. Jones being duly sworn, deposes and says the annexed printed copy of Noticeof Intention to Appropriate Water was taken from the Redfield Press a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Redfield County of Spink and State of South Dakota; that the said notice was published in said newspaper on the following dates:June 18, 25 & July 2, 9in each and every issue of the full number thereof, the first publication being made on the 18th day of June 1964 and the last publication on the 9th day of July 1964, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Editor the printer and publisher of the said newspaper.Harold D. Jones
Subscribed and sworn to before me this 9th day of July A. D. 1964Notary Public Spink County, S. D.No. 47
APPROPRIATION OF WATER
Office of State Water
Resources Commission
Pierre, South Dakota
June 8, 1964NOTICE IS HEREBY GIVEN that Leon Osborn, whose postoffice address is Redfield, 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 4.14 cubic feet of water per second of time from the James River through the Osborn Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the SE¹/₄ SE¹/₄, Section 30, and a point in the SW¹/₄ of the SW¹/₄ of Section 29 Twp. 117N Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:S¹/₂ Sec. 29, SW¹/₄, Section 30; E¹/₂ SW¹/₄, Section 29, T117N, R63W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water
Resources Commission
By:
BURTON F. JONESWater Right Specialist
(June 16, 25 & July 2, 9)

Permit No. 1105-3
 Water Division 3 JAMES RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by LEON
OSBORN of REDFIELD holder
 of Permit No. 1105-3, bearing date of priority of APRIL 13, 1964
 authorizing the diversion of 4.14 cu. ft. per second of the waters of THE JAMES RIVER
 for IRRIGATION purposes, in SPIRK 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:

8" DEMPSTER PUMP, POWERED BY MINNEAPOLIS MOLINE
D-4 PROPANE MOTOR
3" GORMAN PUMP PUMP POWERED BY INTERNATIONAL 450 DIESEL P.T.O.
3" CORNWELL PUMP POWERED BY 20 H.P. CONTINENTAL PROPANE ENGINE

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

2250' OF 8" MAINLINE
1400' OF 6" "

C. Works used to apply water to beneficial use.

360' OF 8" GATED PIPE - LEVELLED LAND.
2 - 1/4 MILE TOWLINES W/ RAINBIRD SPRINKLER
HEADS W/ 12/64 NOZZLES

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS 800' W & 1320' N, AND
830' E & 1320' N OF THE SE CORNER, SECTION 30, T 117N, R 63W

The works are capable of diverting and conveying to the place of use 4.14

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 T 117N, R 63W

<u>SECTION 29</u>	<u>2 SW 1/4</u>	<u>80 AC.</u>
<u>SECTION 30</u>	<u>2 SW 1/4</u>	<u>80 AC.</u>
	<u>3 E 1/4</u>	<u>130 AC.</u>

comprising a total of 290 acres of land.

Date OCTOBER 22, 1969
Barton Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

1105-3

COMMISSION

John M. Garhart, Spearfish
Fester Brue, Parker
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton L. Fischer, Milbank
Richard Lommen, Harrisburg
Clarence D. Mortenson, Hayes
Dick Fisher, Cresbard

South Dakota
WATER RESOURCES COMMISSION

State Office Building #2
PIERRE, SOUTH DAKOTA 57501

J.W. GRIMES

Chief Engineer
and
Executive Officer

PHONE
224-3584
Area Code 605

August 7, 1970

Mr. Frederick Osborn
Rt. #1, Box 5
Redfield, South Dakota

Dear Mr. Osborn:

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses, ---".

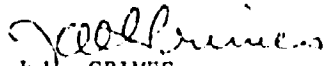
The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the north boundary of Spink County and the south boundary of Hanson County shall cease effective 6:00 P.M., August 10, 1970, and until January 1, 1971, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 1105-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1970. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,


J.W. GRIMES

JWG/DD/bw

P.S. The Water Permits of almost every water right holder receiving this letter contains the August 10th irrigation stoppage qualification or a low flow qualification which prohibits the diversion of water from the existing low flows of the James River, even if this special order were not issued.

COMMISSION

South Dakota

J.W. GRIMES

Carl Cronan, Gettysburg
W. Neil Evans, Watertown
Milton E. Fischer, Mattoon
Edw. Garrett, Fort A, Pierre
Stanley Jensen, Buresford
Richard Loomen, Harrisburg
Clarence D. Mollerach, Haystack
Elizabeth Vardek, Gettysburg

Water Resources Commission

Chief Engineer
and
Executive Officer

State Office Building #2

PIERRE, SOUTH DAKOTA 57501

PHONE 605/224-3584

6-22-73

Leon Osborn
%Frederick Osborn
Route 1, Box 5
Redfield, S.D. 57469

The South Dakota Water laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses,---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the James River Bridge east of Ashton, South Dakota and the 3rd Street Dam in Huron, South Dakota shall cease effective 6:00 P.M., July 1, 1973, and until January 1, 1974, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 1105-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1973. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. GRIMES

JWG/DD/bw

Water Rights Division - DWNR
Conversation or File Documentation

File No. 1105-3

NAME OF PERSON OR FILE: Leon Osborn

ADDRESS: Redfield SD COUNTY Spink

DATE: September 30, 1985 TELEPHONE _____

RE: _____

COMMENTS:

License No. 1105-3 was inspected on April 26, 1985,
for the purpose of updating records regarding diversions
from the James River. The number of acres being irrigated
has been reduced by 30.3 acres.

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

NAME: Ron Small

Permit No. 1105-3See License Nos 1105-3A &
1105-3BJames 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 Leon Osborn
_____ of Redfield SD holder ofPermit No. 1105-3, bearing the priority of April 13 1964 authorizingthe diversion of 4.14 cu. ft. per second of the waters of the James Riverfor irrigation purposes, in Spink County.

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

The equipment is the same as indicated
on the original report of examination of
works which was completed on 10/22/69

A. Works used to divert the water:

The total acreage being irrigated under License
1105-3 has been reduced. Sheldon Osborn states
that portions of the acreage can be transferred
due to changes in ownership.

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

C. Works used to apply water to beneficial use:

The system is in the following condition FairThe point of diversion is located as listed on License No. 1105-3The works are capable of diverting and conveying to the place of use 4.14cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in T117N-R63W

Acres		Acres	
<u>NE 1/4 SW 1/4</u>	<u>sec 30</u>	<u>SW 1/4 SE 1/4</u>	<u>sec 30</u>
<u>40.0</u>		<u>38.0</u>	
<u>SE 1/4 SW 1/4</u>	<u>38.0</u>	<u>SE 1/4 SE 1/4</u>	<u>16.4</u>
<u>NW 1/4 SE 1/4</u>	<u>40.0</u>	<u>NE 1/4 SW 1/4</u>	<u>sec 29</u>
<u>NE 1/4 SE 1/4</u>	<u>10.6</u>	<u>SE 1/4 SW 1/4</u>	<u>36.7</u>

comprising a total of 259.7 acres of land and the license should be issued for 3.71 cfs* owned by
Sheldon Osborn
(1105-3B)Applicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date April 26, 1985Ron Duvall
(signature)



Department of Water & Natural Resources

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

March 23, 1987

SHELDON OSBORNE
RR
REDFIELD, SD 57469

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s) 1105-3B 4065-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 1105-3B, 4065-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

A handwritten signature in cursive script that reads "John Hatch".

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

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

 **Department of
Water & Natural Resources**

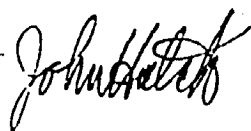
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: SHELTON OSBORN
RR
REDFIELD, SD 57469

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



SUBJECT: Amendment to Water Permit No(s). 1105-3B and 4065-3

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 5, 1987, the Water Management Board has amended Water Permit No(s). 1105-3B and 4065-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in **SUSPENSION** of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Attachment to Water Permit No. 1105-3B

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 1105-3B to add the following qualification:

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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.	
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.	
3. Article Addressed to: INTERNATIONAL MAIL	4. Article Number P576 309 730
	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature — Addressee <i>X Sharon O. Cobb</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>X</i>	
7. Date of Delivery <i>5-18-87</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT