

1867-2

1. Considered Mar 15, 1967
2. Name of Applicant Harley Hall
3. Post Office Address Westport
4. Amount of water claimed 3.46
5. Source of water supply Dugout
6. Water to be used for Irrigation
Acres to be irrigated 242.43
7. Water to diverted and used in Brew County
about 15 miles 7 W of Columbian.
8. Proof of Publication Received Mar 14
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Well statement

No. 1364-3Water Division No. 3 James 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 HARLEY HALL
Postoffice address WESTPORT, County BROWN, State SOUTH DAKOTA

I. If a corporation N. A.(a) Name of same N. A.(b) Date and place of incorporation N. A.(c) Amount of capital stock N. A.(d) Amount paid in N. A.(e) Names and addresses of directors N. A.

(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)

DIRECT LABOR BY APPLICANT(b) Cash on hand, \$ ADEQUATE(c) Treasury stock, \$ N. A.(d) Bonds to be issued, \$ N. A.(e) Other resources, \$ N. A.2. Name of diversion work N. A. (GROUND WATER RESERVOIR TO BE CONSTRUCTED)3. Amount of water claimed 726 ACRE-FT./YR. cubic feet per second 3.46 (1557 GPM)4. Source of water supply EXCAVATED RESERVOIR INTO EXISTING GROUND WATER AQUIFER5. Location of point of diversion 350 FT. SOUTH & 1740 FT. EAST OF THE NW CORNER OF THE SW 1/4 OF SECTION 31-125-63 BROWN County.6. Annual period or periods during which water is to be used 1 MAY THROUGH 31 OCTOBER

7. To be used for:

I. Irrigation or domestic use: Gravity, ~~overhead~~ ~~sprinkling~~ or ~~combination~~ system? AS MARKED, LEFT(a) Number of acres to be irrigated 242.43 acres.(b) Legal subdivisions to be irrigated SEE DESCRIPTION IN REMARKS SECTION

(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.) NONE

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

(a) Nature of use N. A.
Name any of the above uses claimed(b) Amount of power to be generated N. A. horse power.Amount claimed for engine cooling N. A.(c) Location of plant N. A.(d) Method of developing power N. A.(e) Point where water will be returned to stream N. A.

Map # 974-3

Remarks by the Applicant:

THE AREA TO BE IRRIGATED IS AS FOLLOWS:

SE 1/4 SECTION 31-125-63	100.52 ACRES
SW 1/4 SECTION 31-125-63	131.57 ACRES
NE 1/4 SE 1/4 SECTION 36-125-64	10.34 ACRES
TOTAL AREA	242.43 ACRES

THE UNDERLYING SOIL FOR THE ENTIRE AREA IS GRANULAR, WATER BEARING, WITH AN UNLIMITED CAPACITY FOR WATER AVAILABILITY BASED ON PREVIOUS EXPERIENCE IN THE NORTH 1/2 OF SECTION 31, TOWNSHIP 125 NORTH, RANGE 63 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA.

APPLICANT IS A GRADING CONTRACTOR IN THE STATE OF SOUTH DAKOTA AND PLANS TO COMPLETE ALL REQUIRED WORK WITH HIS OWN EQUIPMENT AND LABOR FORCES.

8. Estimated cost of work:

(a) Head Gates, \$ NONE LEVELING (b) Pumping plant, \$ 1,500
 (c) Fluming, \$ NONE (d) Canal-earth, \$ 20,000 Rock, \$ -----
 (e) Other structures IRRIGATION PIPING \$ 12,000 Total, \$ 33,500

9. Description of diversion works:

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

PUMPING PLANT WITH IRRIGATION PIPING

II. Dimensions of works.

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

(b) Reservoir: Capacity when filled TEN acre feet. Surface area at highwater mark ONE acres. DRAGLINE EXCAVATION TO CREATE RESERVOIR INTO EXISTING GROUND WATER TABLE

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH FIVE FEET DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY
20	1	10
15	3/4	7 1/2
10	1/2	5
5	1/4	2 1/2
0	0	0

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

Material -----

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

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At <u>-----</u> Mile	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet
At <u>-----</u> Mile	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet
At <u>-----</u> Mile	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet
At <u>-----</u> Mile	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet
At <u>-----</u> Mile	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet
At <u>-----</u> Mile	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet	<u>-----</u> feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work THREE years.

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

12. Choice of newspaper for publication of notice of intention to appropriate ABERDEEN AMERICAN NEWS, ABERDEEN, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

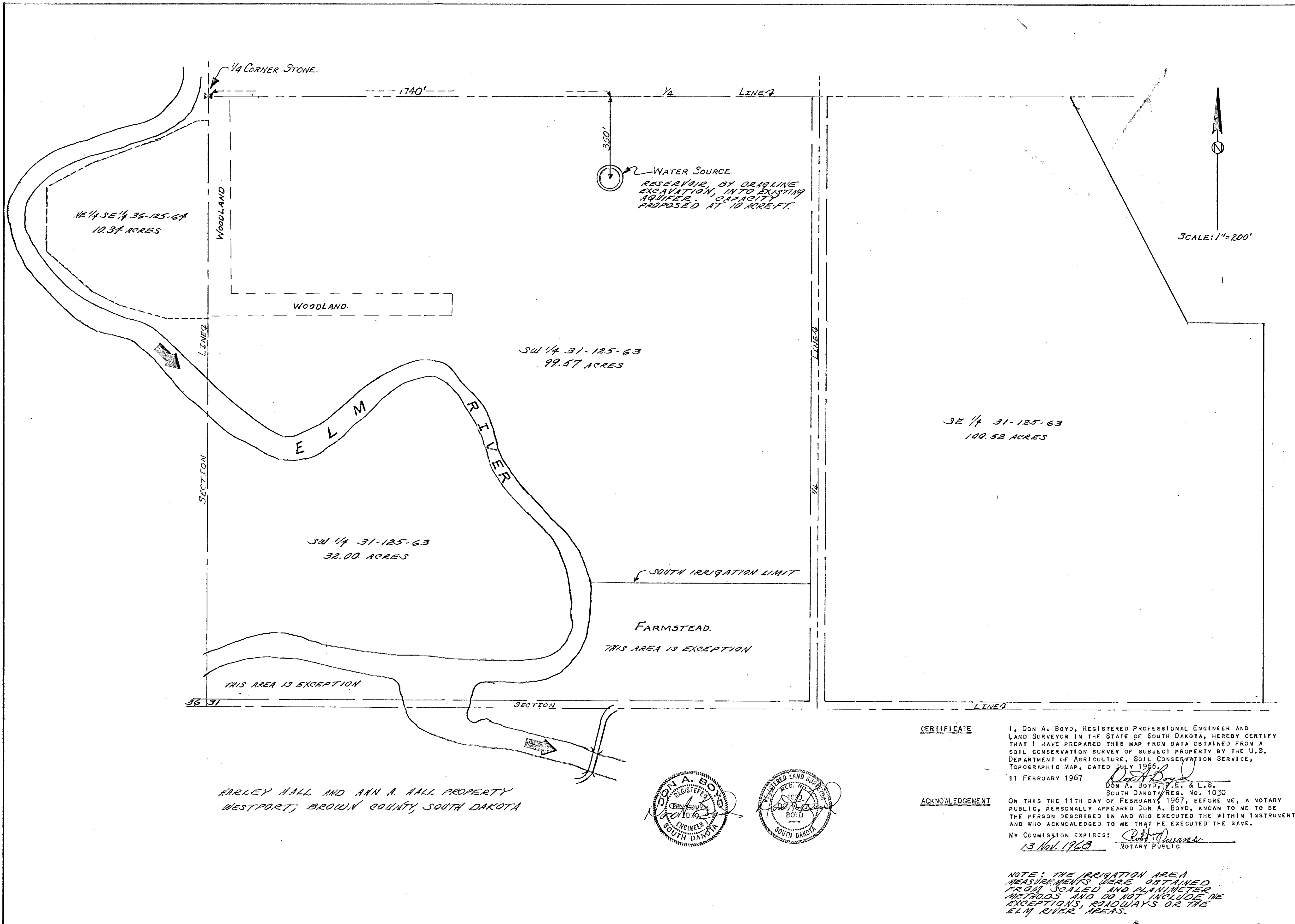
County of BROWN ss.

I, HARLEY HALL, 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

Subscribed and sworn to before me this 11th day of February 1967

Notary Public (or other qualified officer.)



CERTIFICATE

I, Don A. Boyd, Registered Professional Engineer and Land Surveyor in the State of South Dakota, hereby certify that I have prepared this map from data obtained from a soil conservation survey of subject property by the U.S. Department of Agriculture, Soil Conservation Service, Topographic Map, dated July 1966.

11 FEBRUARY 1967
Don A. Boyd, R.E. & L.S.
SOUTH DAKOTA REG. NO. 1030

ACKNOWLEDGEMENT

ON THIS THE 11TH DAY OF FEBRUARY, 1967, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED DON A. BOYD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES: 13 Nov. 1968
Notary Public

NOTE: THE IRRIGATION AREA MEASUREMENTS WERE OBTAINED FROM SCALED AND PLANIMETER METHODS AND DO NOT INCLUDE THE EXCEPTIONS, ROADWAYS OR THE ELM RIVER AREAS.

The well granted under this permit is located near wells which may obtain water from the same aquifer. If the well covered by this permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements will be required to protect these water supplies.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, March 20, 1967

This is to certify that the foregoing application was received by the Commission at 10:10 o'clock A.m. upon the 14 day of February, 1967.

State Water Resources Commission

By: Richard D Schuyler
Chief Engineer, Executive Officer

Number of permit 1364-3

Date of first receipt of application February 14, 1967

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 February 14, 1967

Approved March 16, 1967, Recorded in Book 9 Page 248

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 September 16, 1968

2nd. The whole of said work is to be completed on or before March 16, 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is March 16, 1974

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 3.46 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 March 16, 1974, said water to be used during the following described annual period:

April 1st through November 1st

Witness my hand this 20 day of March, 1967

State Water Resources Commission

By: Richard D Schuyler
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 9, 1970

Water License Issued NOVEMBER 9, 1970

APPLICATION: 1364-3
HARLEY HALL
WESTPORT, SOUTH DAKOTA

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of ~~drill hole~~ or excavation ONE ACRE - SURFACE, Depth 30 FT.Type of casing NONE REQUIRED - OPEN EXCAVATION
(wood, concrete, steel, etc.)

Size of casing N. A., Thickness of casing N. A.

Length of casing N. A. If collection gallery, length, size and depth of
gallery ONE ACRE SURFACE AREA, 30 FT. DEPTH

(b) Screens

Type of perforated screen NOT REQUIRED, EXCEPT POSSIBLY ON SUCTION

Size of perforated screen END OF PUMP, THEN 6" AS NECESSARY.
(diameter) (length)

Thickness of gravel pack N. A., length of gravel pack N. A.

(c) Water Bearing Materials

Distance to water 10 FT. Character of water bearing materials LARGE
AQUIFER IN GRAVEL DEPOSIT UNDERLYING THE ENTIRE AREA.
(PREVIOUS WITHDRAWAL FROM ADJACENT AREA IN SAME SECTION
PROVIDED UNLIMITED QUANTITY WITH NO EFFECT ON DRAWDOWN)

Thickness of water bearing material ESTIMATED AT 60 FT., PLUS

(d) Pump and Motor

Type of pump CENTRIFUGAL
(centrifugal, propeller, mixed flow, etc.)

Name of pump JACUZZI, size 6' x 6'

Kind of motor ELECTRIC
(gasoline, electric, diesel, etc.)

Horsepower 20, Name of Motor 3 PHASE, BY PUMP MFG.

(e) Complete well

Capacity UNLIMITED at drawdown of NONE Estimated cost SEE FORM 2

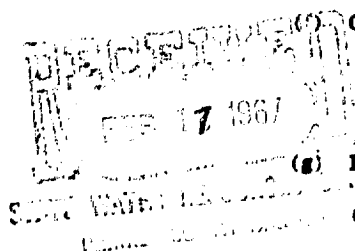
(f) Owner of land upon which well is located HARLEY AND ANN A. HALL
Name

WESTPORT, SOUTH DAKOTA

Address

(g) Distance to nearest existing wells

On same owner's property 120 rods. On property owned by others 212 rods



Permit No. 1364-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harley Hall

_____ the holder _____ of
Permit No. 1364-3, issued upon Application No. 1364-3, bearing date of priority of February 14
1967 authorizing the diversion of 3.46 cu. ft. per second of the waters of _____
ground water County of Brown, State of South Dakota at _____
a point 500' North and 100' West of the center of Section 31, T125N, R63W
_____, for irrigation

purposes, has 2 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 3.78 cu. ft. per second of water.

Date November 9, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1364-3

(1) WHEREAS, On the 14th day of February A. D. 19 67
Harley Hall

made Water Right Application No. 1364-3 for a permit to use 3.46 cubic feet per second of the waters
of ground water
County of Brown, State of South Dakota, ¹for irrigation

purposes; and
(2) WHEREAS, On the 20th day of March A. D. 19 67
Permit No. 1364-3, with a date of priority of February 14, 1967
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 16th day of March A. D. 19 70 and for the
application to beneficial use of said water on or before the 16th day of March A. D. 19 74

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 3.46 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:

Section 31, T125N, R63W	SE$\frac{1}{4}$	100.5 acres
	SW$\frac{1}{4}$	131.6 acres
Section 36, T125N, R64W	NE$\frac{1}{4}$ SE$\frac{1}{4}$	10.3 Acres
TOTAL		242.4 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 _____ **Harley Hall** _____

_____ of _____ **Westport, South Dakota** _____

the holder _____ and owner _____ of said permit No. **1364-3** a water right, dating from **February 14, 1967** _____

_____ to use of **3.46** _____ cubic feet per second of the waters of **ground water** _____

in the County of **Brown** _____ and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at **a point 500' North and 100' West of the Center of Section 31, T125N, R63W** _____

and conduct to and upon **portions of Section 31, T125N, R63W and Section 36, T125N, R64W,** _____
described on the face of this License _____

for the purpose of **irrigation** _____

Subject to any limitations listed in Water Right Permit No. **1364-3** and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this **9th** day of **November** A. D.

Nineteen Hundred and **Seventy** _____

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, **J.W. GRIMES**

On or before **February 21**, 19**67**
 (First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., **February 15**, 19**67**

Notice is hereby given that **Harley Hall** whose postoffice address is **Westport** 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 **3.46** cubic feet of water per second of time from ~~the~~ **ground water** through the **Hall #1** _____, the point of diversion of which is to be located on the ~~bank of said stream~~ in the **NE** $\frac{1}{4}$ of the **SW** $\frac{1}{4}$ of Section **31** **portions of** Twp. **125N** Range **63W**. Said water to be used for the purpose of providing irrigation on the following described land:
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T125N, R64W and S $\frac{1}{2}$ Section 31, T125N, R63W.

~~WHEREFORE~~ _____ ~~PURPOSES~~
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **15th** day of **March**, 19**67**, 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:

~~XXXXXXXXXXXXX~~
RICHARD D. SCHMIDT
 Chief Engineer, Executive Officer
 Water Right Specialist

CC: Mr. Henry J. Schmitt, Publisher
 American-News
 Aberdeen, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Brown } ss.

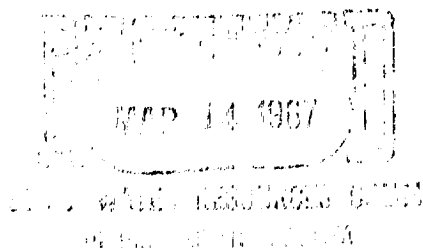
Judy Holler being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Aberdeen American-News a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the City of Aberdeen County of Brown and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Feb. 17-24-Mar. 3-10 1967

in each and every issue of the full number thereof, the first publication being made on the 17th day of February 1967 and the last publication on the 10th day of March 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was clerk ~~the printer and publisher~~ of the said newspaper.

Judy Holler

Subscribed and sworn to before me this 10th day of March A. D. 1967



Eldon L. Eichler
Notory Public Brown County, S. D.

Daily Circulation 21,771

(No. 89 — Feb. 17-24-March 3-10 — 47)
APPROPRIATION OF WATER

No. 1364-3
Office of State Water Resources Commission, Pierre, S. D., February 15, 1967.
Notice is hereby given that Harley Hall whose postoffice address is Westport, S.D., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.46 cubic feet of water per second of time from ground water through the Hall No. 1, the point of diversion of which is to be located in the NE 1/4 of the SW 1/4 of Section 31, Twp. 125N, Range 63W., said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4 SE 1/4 Section 36, T125N, R64W and S 1/2 Section 31, T125N, 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 March, 1967, 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: Richard D. Schmeyer, Water Right Specialist.

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 Harley Hall
of Westport holder
of Permit No. 1364-3, bearing date of priority of February 14, 1967
authorizing the diversion of 3.46 cu. ft. per second of the waters of ground waters
for irrigation purposes, in Brown 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:

Berkley 4" pump, Mod. 4EP & 20 HP, U.S. Electrical Motor

Berkley 6" pump model B6JRBM & 40 HP, Baldor Electric Motor, Mod. 41107

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

1320 feet of 10 inch aluminum

500 feet of 8 inch aluminum

C. Works used to apply water to beneficial use.

land leveled

4500 feet of 8 inch gated pipe

1500 feet of 6 inch gated pipe

The system is in the following condition: very good

The point of diversion is located 500 feet north and 100 feet west of the center of
Section 31, T125N, R63W

The works are capable of diverting and conveying to the place of use 3.78

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:

SE $\frac{1}{4}$ Section 31, T125N, R63W	100.5 acres
SW $\frac{1}{4}$ Section 31, T125N, R63W	131.6 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T125N, R64W	10.3 acres

comprising a total of 242.4 acres of land.

The point of diversion has been changed from the reservoir excavation shown on Water Right Map No. 974-3 to a gravel pit located north and west on land owned by Herman Pickus.

Mr. H. Hall also irrigates another 200 acres (approx.) on which he has not obtained a Water Permit, but he informed me he is now in the process of making an application for a permit for such irrigation.

Date September 22, 1970

Donald D. Rieck
(signature)

DONALD DRIECK, Deputy Chief Engineer
Water Resources Commission

1364-3

HALL CONSTRUCTION

GENERAL CONTRACTING

PHONE 307-464-0035

P. O. BOX 429

WRIGHT, WYOMING 82732

HARLEY HALL



October 29, 1984

John Hatch, Chief Engineer
Department of Water & Natural Resources
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Irrigation Questionnaire

Dear Mr. Hatch:

The above referenced irrigation questionnaire has been forwarded to Lester Dell and will be completed and returned by him.

Sincerely,

Harley Hall

Harley Hall, Owner
Hall Construction

HH:dg

cc: Lester Dell

RR 1

Aberdeen



Conversation or File Documentation

122-3

NAME OF PERSON OR FILE: Harley Hall % Jeff HallADDRESS: RR 1 Box 22 Aberdeen SD 57401 COUNTY BrownDATE: 10/9/90 TELEPHONE _____RE: Irrigation Questionnaire

COMMENTS:

On October 3, 1990, I talked to Jeff Hall about a discrepancy on their Irrigation Questionnaire. They have been reporting more acres irrigated than authorized under Water ^{Right} Permit No. 1364-3. Mr. Hall said they also farm the land covered under Water Right No. 122-3, H.M. Pickus. I told him we would also send him the IQ for #122-3, and he could report for both Water Rights on one IQ form.

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: Tom Schaal



1364-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: JEFF HALL, OPERATOR, 38846 124TH ST, ABERDEEN, SD 57401

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 122-3 & 1364-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

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

1. Amend Permit No(s) 122-3 & 1364-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

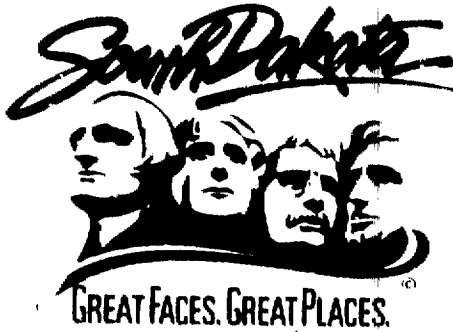
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, 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.

c: HARLEY HALL, PRESIDENT, TRINS CONSTRUCTION, 601 W MAIN ST, LEAD, SD 57754

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.

1364-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1997

122-3

1364-3

Jeff Hall, President
Trins Construction
38846 124th St
Aberdeen, SD 57401

Dear Mr. Hall:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, *"Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaires"* for Water Right No. 122-3 and 1364-3.

I completed questionnaires for you based on our February 5th telephone conversation (copies enclosed). The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

As you requested, I have changed the water right records to reflect you as president of Trins Construction and have taken the "Lead" address off of the mailing list. 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

encl



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: JEFF HALL, PRESIDENT, TRINS CONSTRUCTION, 38846 124TH ST, ABERDEEN, SD 57401

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 122-3 & 1364-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire 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, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 122-3 & 1364-3 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 March 1, 1999, 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.



1364-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1999

122-3
1364-3

Jeff Hall
38846 124th St
Aberdeen, SD 57401

Dear Mr. Hall:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 122-3 and 1364-3.

I completed questionnaires for you based on our February 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

1364-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: JEFF HALL, PRESIDENT, TRINS CONSTRUCTION, 38846 124TH ST, ABERDEEN, SD 57401

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 122-3 & 1364-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 122-3 & 1364-3 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 28, 2003**, 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

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

February 25, 2003

122-3
1364-3

Jeff Hall
Trins Construction
38846 124th St
Aberdeen SD 57401

Dear Mr. Hall:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 122-3 and 1364-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1364-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: JEFF HALL, PRESIDENT, TRINS CONSTRUCTION, 38846 124TH ST, ABERDEEN, SD 57401

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit Nos. 122-3 & 1364-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 122-3 & 1364-3 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 questionnaires are received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaires, 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.



1364-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2005

122-3
1364-3

Jeff Hall
Trins Construction
38846 124th St
Aberdeen SD 57401

Dear Mr. Hall:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 122-3 and 1364-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



100-5
1364-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 4, 1995

Harley Hall
Trins Construction
RR #1 Box 22
Aberdeen, SD 57401

Dear Mr. Hall:

Enclosed are application forms for obtaining a water permit for your sand and gravel washing operation. During our April 3, 1995, telephone conversation, I indicated to you that you had irrigation permits for that area (Section 31, T125N, R63W), but did not have a water permit for your use of water for a sand and gravel washing operation.

You inquired why you would need a water permit for a non-consumptive use of water. In South Dakota, any beneficial use of water, except domestic use under 18 gpm, requires an appropriate water permit. This includes those permits that are non-consumptive because a beneficial use is still being made of the water.

If you have any questions and need assistance with completion of the enclosed forms, please contact Eric Gronlund with this office, at (605) 773-3352.

Sincerely,

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

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 7, 2009

Jeff Hall
Trins Construction Inc
38846 124th St
Aberdeen SD 57401

Dear Mr. Hall:

Enclosed is your "Temporary Permit to Use Public Waters for Construction Purposes."

You currently have a water right to use water from the gravel pit for irrigation purposes. You indicated during a phone conversation with Genny McMath in our program that depending on the year, you need to remove water in the pit to get to the gravel material. To ensure that you have a right to use water for industrial purposes from the pit, you will need to obtain a regular appropriative water permit.

Application forms and instructions are enclosed. Please be advised that the Legislature passed a bill this year raising the filing fees on applications. The fee increase is substantial and will become effective July 1, 2009. To avoid having to pay the higher fee, please complete the enclosed application and return it to us prior to July 1st with the appropriate fee (see number 5 on the instruction sheet).

If you have any questions, please contact me.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

enclosures



1364-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: JEFF HALL, PRESIDENT, TRINS CONSTRUCTION, 38846 124TH ST, ABERDEEN, SD 57401

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 122-3 & 1364-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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 **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 122-3 & 1364-3 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 before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



1364-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2018

122-3
1364-3

Jeff Hall
38846 124th St
Aberdeen SD 57401

Dear Mr. Hall:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 122-3 & 1364-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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