

Water Right Number 1917-3

1. Considered March 15, 19-
2. Name of Applicant Walter Morrison
3. Post Office Address Mitchell, S.D.
4. Amount of water claimed 5.70
5. Source of water supply James River
6. Water to be used for irrigation
- Acres to be irrigated 400.00
7. Water to be diverted and used in Davison County
about 6 Miles North of Mitchell
8. Proof of Publication Received 1st
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 1917-3Water Division No. 3 JAMES RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

District

STATE ENGINEER & SURVEYOR
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant Walter Morrison
Postoffice address R.F.D. #1, County Davison, State South Dakota 57301

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, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Pumping plant on James River3. Amount of water claimed 5.7 cubic feet per second4. Source of water supply James River5. Location of point of diversion See attached map of the SE 1/4 of the SW 1/4, 15-104-60
BETWEEN POINTS IN THE SE 1/4 SW 1/4 AND IN THE
NW 1/4 SE 1/4 SECTION 15, T104N, R26W on Davison County.6. Annual period or periods during which water is to be used APRIL 1960 OCTOBER

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?(a) Number of acres to be irrigated 400 acres.(b) Legal subdivisions to be irrigated See attached map.

(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 user claimed(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP No 1357-3

8. Estimated cost of work:
- (a) Head Gates, \$.....
(c) Fluming, \$.....
(e) Other structures

(b) Pumping plant, \$.....
(d) Canal-earth, \$.....
Rock, \$.....
Total, \$.....

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 topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
material used in construction
- (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	ACRE-Feet CAPACITY

- (c)* Head gate: Width.....feet; heightfeet;
Material
- (d) Canal: Total lengthmiles.

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 workTwo.....years.
11. Time required for complete application of water to the proposed beneficial usetwo..... years.
12. Choice of newspaper for publication of notice of intention to appropriate
DAILY REPUBLIC, Mitchell, South Dakota

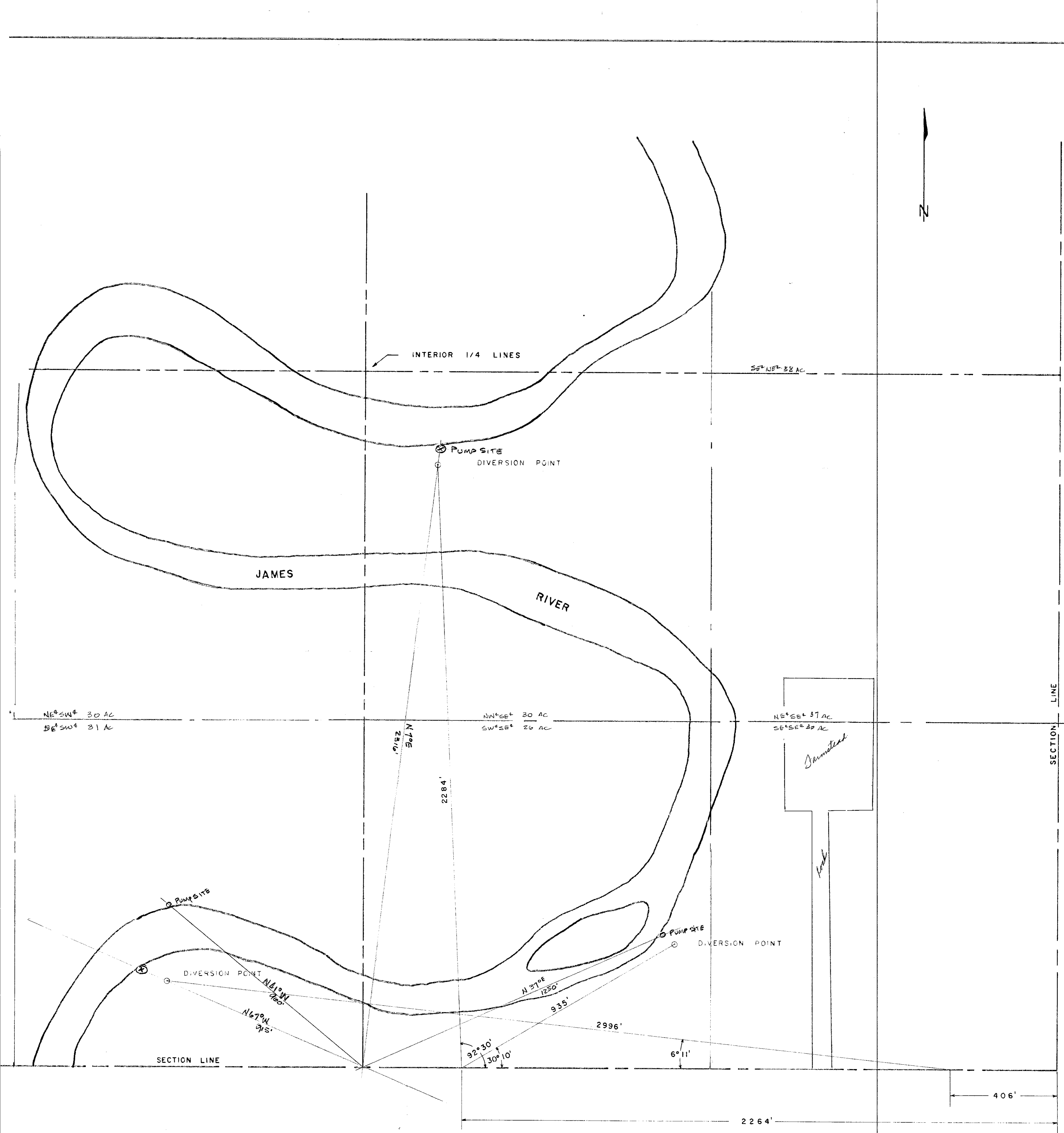
STATE OF SOUTH DAKOTA

County of ...Davison.....} ss.

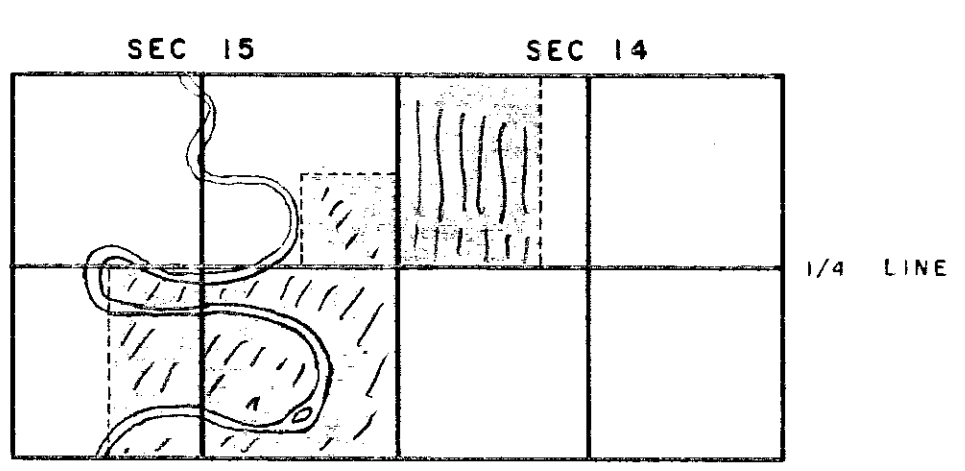
I, Walter Morrison, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated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

Signed Walter Morrison
Subscribed and sworn to before me this 31 day of December 1976
Elmer T. Taveling
Notary Public (or other qualified officer.)
My commission expires August 1, 1979

*Each diversion must have a headgate or measuring device.



W 1/2 NW 1/4 80 AC
N 1/2 E 1/2 NW 1/4 40 AC
120 AC



SHADED AREA TO BE IRRIGATED
(400 ACRES)
SCALE: 2" = 1 MILE

WATER RIGHTS SURVEY

N 1/2 SEC 14 SE 1/4 NE 1/4 E 1/2 SW 1/4 SE 1/4 SEC 15 T104N R60W

DAVISON COUNTY

WATER RIGHTS SURVEY

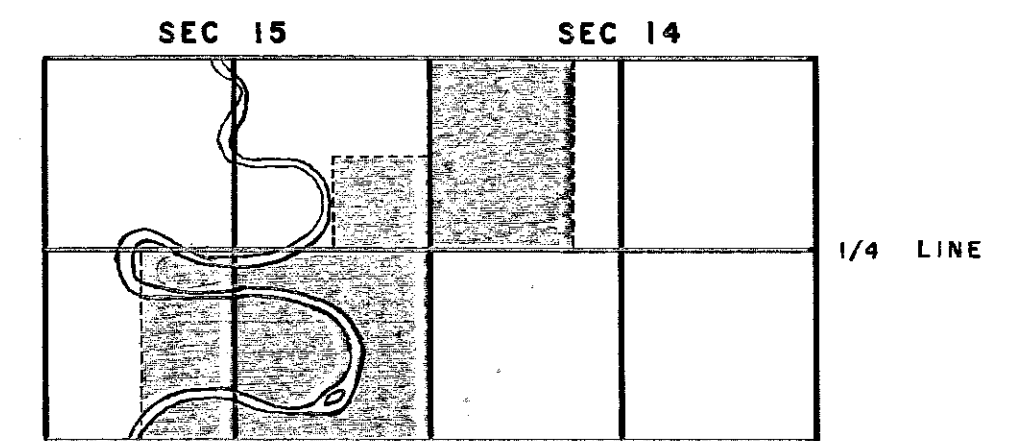
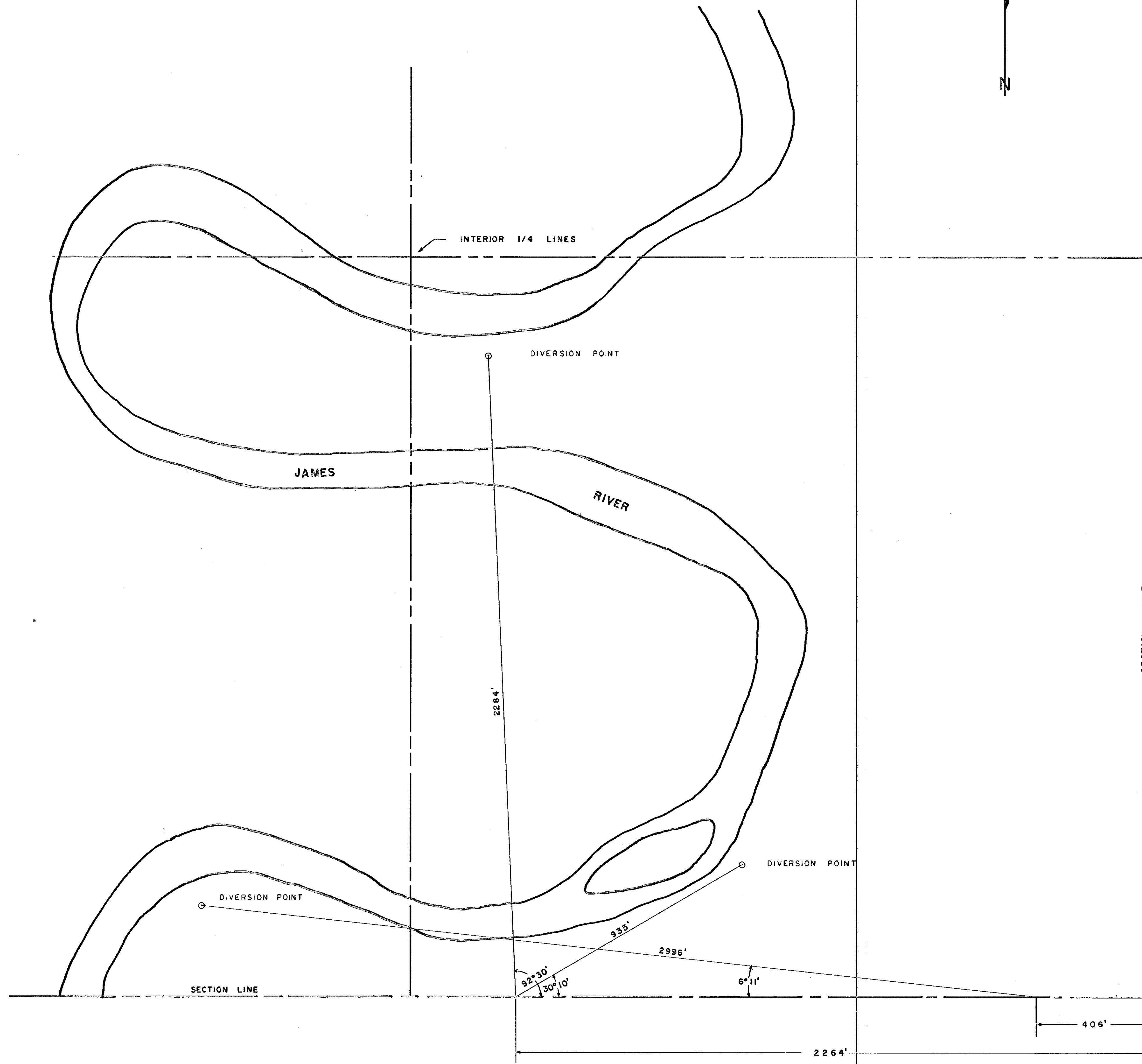
SE 1/4 SW 1/4 S 1/2 SEC 15 T104N R60W

DIVERSION POINT LOCATION

SCALE: 1" = 200'

SURVEYOR'S CERTIFICATE
I, Dennis E. Schmucker, a Registered Engineer and Land Surveyor of Mitchell, South Dakota, do hereby certify that at the request of Walter Morrison, and under his direction, for the purposes indicated therein, I did, on or prior to November 22, 1971, survey the diversion points shown on this plat.
I further certify that the within and foregoing plat is in all respects true and correct.
Dated this 22nd day of November, 1971.
Dennis E. Schmucker
Registered Engineer and Land Surveyor

STATE OF SOUTH DAKOTA) 55
COUNTY OF DAVISON)
On this, the 22nd day of November, 1971, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Dennis E. Schmucker, well known to me to be the person who is described in and who executed the foregoing and within instrument and duly acknowledged to me that he executed the same in his official capacity as a Registered Engineer and Land Surveyor, and for the uses and purposes therein set forth.
In witness whereof, I hereunto set my hand and official seal.
Dennis E. Schmucker
Notary Public, South Dakota
My commission expires August 1, 1974



SHADED AREA TO BE IRRIGATED
(400 ACRES)
SCALE: 2" = 1 MILE

WATER RIGHTS SURVEY

N1/2 SEC14 SE1/4 NE1/4 E1/2 SW1/4 SEC15 T104N R60W

DAVISON COUNTY

SURVEYOR'S CERTIFICATE

I, Bernie E. Schmucker, a Registered Engineer and Land Surveyor of Mitchell, South Dakota, do hereby certify that at the request of Walter Morrison, and under his direction, for the purposes indicated therein, I did, on or prior to November 22, 1971, survey the diversion points shown on this plot.

I further certify that the within and foregoing plot is in all respects true and correct. Dated this 22nd day of November, 1971.

Bernie E. Schmucker
Registered Engineer and Land Surveyor

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON) SS

On this, the 22nd day of November, 1971, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Bernie E. Schmucker, well known to me to be the person who is described in and who executed the foregoing and within instrument and duly acknowledged to me that he executed the same in his official capacity as a Registered Engineer and Land Surveyor, and for the uses and purposes therein set forth. In witness whereof, I hereunto set my hand and official seal.

Hazel Dowling
Notary Public, South Dakota
My commission expires August 1, 1979

WATER RIGHTS SURVEY

SE 1/4 SW 1/4 S1/2 SEC15 T104N R60W

DIVERSION POINT LOCATION

SCALE: 1" = 200'

Remarks by State Water Resources Commission:

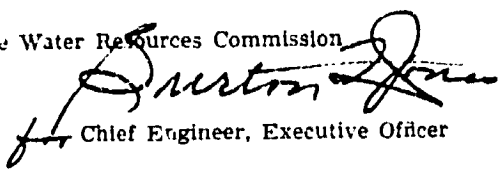
----- This permit does not authorize diversion of water from the James River after August 10th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the State Water Resources Commission, or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders issued by the Commission or its representative. -----

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 28, 1972

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock a m. upon the 22ND day of DECEMBER, 1971.

State Water Resources Commission

By: 

Chief Engineer, Executive Officer

Number of permit 1917-3

Date of first receipt of application DECEMBER 22, 1971

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 DECEMBER 22, 1971

Approved MARCH 15, 1972 Recorded in Book 12 Page 87

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 15, 1973

2nd. The whole of said work is to be completed on or before MARCH 15, 1974

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

MARCH 15, 1976

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.

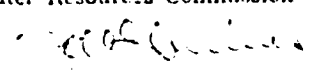
6th. The amount of the appropriation herein granted shall not exceed 5.7 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise 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 15, 1976; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 29TH day of MARCH, 1972.

State Water Resources Commission

By: 

Chief Engineer, Executive Officer

Certificate of Construction issued _____, 19____

Water License issued _____, 19____

WATER LICENSE NO. 1917-3

(1) WHEREAS, On the 22nd day of December A. D. 19 71
Walter Morrison

made Water Right Application No. 1917-3 for a permit to use 5.2 cubic feet per second of the waters
 of the James River

County of Davison, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 15th day of March A. D. 19 72

Permit No. 1917-3 with a date of priority of December 22, 1971

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 15th day of March A. D. 19 74 and for the

application to beneficial use of said water on or before the 15th day of March A. D. 19 76

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

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

to irrigate the following lands all in T104N, R60W

Section 14

N¹/₂ NW¹/₄ 80

SW¹/₄ NW¹/₄ 40

Section 15

SE¹/₄ NW¹/₄ 30

NW¹/₄ SE¹/₄ 30

NE¹/₄ SE¹/₄ 37

SW¹/₄ SE¹/₄ 26

SE¹/₄ SE¹/₄ 30

NW¹/₄ SW¹/₄ 30

SE¹/₄ SW¹/₄ 31

TOTAL 242 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 Walter Morrison

of Nitchell SD

the holder _____ and owner _____ of said permit No. 1917-3 a water right, dating from December 22, 1971

to use of 4.9 cubic feet per second of the waters

of the James River

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

purposes hereinbelow mentioned, to be diverted at points N67°W, 915'; N41°W, 960'; N7°E, 2316' and

N37°E, 1250', all from the SW corner, Section 15, T104N, R60W

and conducted to and upon portions of lands in Sections 14 and 15, T104N, R60W

more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1917-3 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 June A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

Permit No. 1917-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

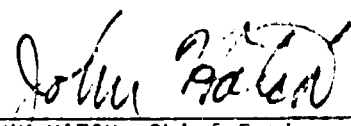
This is to Certify, That Walter Morrison

_____ the holder _____ of
Permit No. 1917-3, issued upon Application No. 1917-3, bearing date of priority of December 22, 1971
_____ authorizing the diversion of 5.7 cu. ft. per second of the waters of the
James River County of Davidson, State of South Dakota at _____
points N67°W, 915'; N41°N, 960'; N70°E, 1250', all from the SE corner Section 15,
T104N, R60E
_____ for irrigation

purposes, has S 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 5.79* cu. ft. per second of water.

Date June 9, 1980

- * 2000gpm thru gated pipe
600 gpm thru gun



JOHN HATCH, Chief Engineer
Water Rights, WMD

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

No. 1917-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Devils) ss.

I, Donald J. Littleton hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Daily Herald

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 Mitchell of Devils

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

February 17, 1972

February 24, 1972

March 2, 1972

March 9, 1972

[Signature]
(Signature)

[Signature]
(Title)

March 9, 1972
(Date Signed)

NOTICE INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
February 10, 1972

Notice is hereby given that
Walter Morrison whose post office address is Mitchell, 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 5.7 cubic feet of water per second of time from the James River through the Morrison Irrigation Project, the point of diversion of which is to be located between points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, T10N Range 60W. Said water to be used for the purpose of providing irrigation on the following described land: NW $\frac{1}{4}$ Section 14: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 15, T10N, R60W.

This application No. 1917-3 will be considered by the Water Resources Commission at their office at Pierre upon the 15th day of March, 1972, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES,
Water Rights Specialist

RECEIVED
MAR 27 1972

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

1917-2

Publish first publication, on or before February 17, 1972NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 10, 1972Notice is hereby given that Walter Morrisonwhose post office address is Mitchell, 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 use5.7 cubic feet of water per second of time from the Jackson River through theMorrison Irrigation Project, the point of diversion of which is to be located in thebetween points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Twp. 104N, Range 60W. Said water to be used for the purpose of providing irrigation on the following described land:NW $\frac{1}{4}$, Section 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 15, T104N, R60WThis application No. 1917-2 will be considered by the Water Resources Commission at their office at Pierre upon the 15th day of March, 1972, at 2:00 P.. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Walter Morrison, R.F.D. #1, Mitchell, S.D. 57501

7/8/71

checked out complaint against
Walter Morrison, which claimed
he had been pumping out of
the Jones R. at night.

At about 6:30 AM, I could
find no evidence that he had
pumped the previous night. By
the condition of his corn crop,
it does not appear that he
has irrigated at all this year.

I contacted him at about 9:00 AM.
He told me that he had pumped a
dugout dry to clean it out. This
night possibly have been the basis
for the complaint.

F. S.

December 30, 1971

Mr. Walter Morrison
R.R. #1
Mitchell, S.D. 57301

Dear Mr. Morrison:

Your application dated December 21, 1971, for a permit to appropriate water from the James River through the Morrison Irrigation Project was received December 22, 1971 and has been duly filed under the temporary number of 1917-3/. The application will be examined in regular order as soon as practical, after which you will be notified as to further action on your part.

Enclosed herewith is receipt No. 4 1913 in the amount of \$8.00 for the examination fee, as required by Statute.

The Commission is not presently considering applications from the James River, pending an evaluation of existing water rights and available water supplies. Your application will be placed in a deferred status until such evaluation is completed. You will then be notified as to further action on your part.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/lw
Enc: as stated

January 24, 1972

Mr. Walter Morrison
R.R. #1
Mitchell, S.D. 57301

Dear Mr. Morrison:

For approximately the past three years applications to divert water from the James River, in that stretch of the river from the North Dakota-South Dakota boundary to the north boundary of Yankton County, have been placed in a deferred status pending a further evaluation of flows and water use from the James River.

The Water Resources Commission has determined that unappropriated water exists from this source for a specified amount of water and has directed the Staff to determine if the applicants having the deferred applications wish to have them processed at this time.

It should be pointed out that the permit will contain the following qualification:

"This permit does not authorize diversion of water from the James River after August 10th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the State Water Resources Commission, or its legally appointed representative. Diversions under this Permit shall be in accordance with any written orders issued by the Commission or its representative."

You have pending with the Water Resources Commission Application No. 1917-3 to divert 5.70 c.f.s. from the James River to irrigate 639 acres in Davison County.

Question: Should we proceed with the advertising of your application?

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw

Permit No. 1917-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by WALTER MORRISON of MITCHELL holder of Permit No. 1917-3, bearing date of priority of DECEMBER 22, 1971 authorizing the diversion of 5.7 cu. ft. per second of the waters of JAMES RIVER for 'IRRIGAT' purposes, in DAVISON County.

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

The Water Use System consists of,

A. Works used to divert the water:

CRISAFULLI 10" PUMP - SERIAL #7793 - POWER TAKE OFF
POWERED BY WD ALLIS DIESEL TRACTOR
BERKELEY 4" PUMP WITH 6" INLET & 6" OUTLET - POWERED
BY ALLIS #200 DIESEL TRACTOR - PTO

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

100' OF 10" RUBBER HOSE - 400' OF 10' ALUMINUM MAINLINE
1600' OF 6" ALUMINUM MAINLINE
600' OF 5" RUBBER HOSE WITH GUN SYSTEM

C. Works used to apply water to beneficial use. USED ON LOW FLATS ALONG THE RIVER

3200' OF 10" LIGHTWEIGHT PLASTIC HOSE WITH INSTALLABLE
GATES - HAS 200 GATES - DISCHARGE 15 GPM WHEN FULLY OPEN
USED ON UPLAND - WHITE TRAVELLING IRRIGATION SYSTEM #89840EG
WITH NELSON BIG GUN #200 WITH 1 1/2" RING - 600 GPM.

The system is in the following condition: GOOD

The point of diversion is located AT POINTS N 67° W, 915'; N 41° W, 960'; N 7° E, 2316'
AND N 37° E, 1250', ALL FROM THE S 1/4 CORNER, SECTION 15, T104N, R60W

The works are capable of diverting and conveying to the place of use 5.7 ^{2000 GPM THRU GATED HOSE}
600 GPM THRU GUN

cu. 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 T104N, R60W
SECTION 14

SECTION 14		SECTION 15		SW ¹ SE ⁴ 26 AC
W ¹ 2N1W ⁴	80 AC	SE ⁴ NE ⁴	38 AC	SE ⁴ SE ⁴ 30 AC
W ² E ² NW ⁴	40 AC	NW ⁴ SE ⁴	30 AC	NE ⁴ SW ⁴ 30 AC
		NE ⁴ SE ⁴	37 AC	SE ⁴ SW ⁴ 31 AC

comprising a total of 342 acres of land. = 4.9Date APRIL 24, 1980

Durston Jones
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7517

PIERRE, May 25, 1950

RECEIVED OF Walter Morrison, RR 1, Mitchell, SD 57301

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1917-3	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1917-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	1	00

WATER RIGHTS COMMISSION

By John Hatcher
Chief Engineer, Executive Officer
JOHN HATCHER / 50



Department of Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

June 10, 1980

Walter Morrison
RR #1
Mitchell SD 57301

Dear Mr. Morrison:

Enclosed herewith are, Water License No. 1917-3 and Certificate of Construction.

Water License No. 1917-3 is the final water right document completing your 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, WMD

JH:kw

enclosures

NOTE: Your pump capacity is 5.79 cfs (2600 gpm) and based upon the acreage actually irrigated, you are entitled to divert 4.9 cfs (2200 gpm). Any diversion in excess of 4.9 cfs would be a violation of your Water Right.

Water Rights Division - DWNR
Conversation or File Documentation

File No. 1917-3

NAME & PERSON OR FILE: Walter Morrison
ADDRESS: RR1, Box 294, Mitchell SD 57301 COUNTY Davison
DATE: 1/22/82 TELEPHONE _____
RE: Spoke to Walter Morrison (Sonny)

COMMENTS:

License No. 1917-3 was inspected on May 9, 1985 for the
purpose of updating records regarding James River diversions.
The total acreage being irrigated has been reduced by
219.7 acres and the irrigation equipment has remained unchanged.
The total acreage currently being irrigated is 122.3 acres
with an allowable diversion rate of 1.74 cfs.

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 Swall

Permit No. 1917-3James 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 Walter Morrison
 of RR1, Box 294, Mitchell SD 57301 holder of
 Permit No. 1917-3, bearing the priority of December 22, 1971 authorizing
 the diversion of 5.70 cu. ft. per second of the waters of the James River
 for irrigation purposes, in Davison County.

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

- A. Works used to divert the water: same equipment as listed on the April 24, 1980
report of examination of works
- 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 goodThe point of diversion is located James River: any point between and including the
NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of sec 15-T104N-R60WThe works are capable of diverting and conveying to the place of use 5.77
 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:

	Acres		Acres
<u>NE$\frac{1}{4}$SW$\frac{1}{4}$ sec 15-T104N-R60W</u>	<u>25.5</u>	<u>SE$\frac{1}{4}$SE$\frac{1}{4}$ sec 15-T104N-R60W</u>	<u>6.8</u>
<u>SE$\frac{1}{4}$SW$\frac{1}{4}$</u>	<u>34.2</u>		
<u>NW$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>23.0</u>		
<u>SW$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>32.8</u>		

comprising a total of 122.3 acres of land and the license should be issued for 1.74 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are _____ Date May 9, 1985


SIXTYFOUR

State of South Dakota

REISSUANCE OF Water License No. 1917-3

(1) Walter Morrison
of RR#1, Box 294, Mitchell, South Dakota was issued Water License No. 1917-3
~~made Application No.~~ June 9, 1980 for a ~~water permit~~ ^{right} to appropriate
4.90 cubic feet per second of water from the James River,
Davison County, South Dakota for irrigation purposes.
Water License 1917-3, with a priority date of December 22, 1971
~~Permit No.~~ 1917-3, with a priority date of December 22, 1971
~~was approved~~ and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~on or before~~ completed.

Water License No. 1917-3 dated June 9, 1980 authorized diversion of 4.9 cfs from the James River to irrigate 342 acres. Based upon a May 9, 1985 inspection of the water use system, this license is being reissued to reflect what is actually being us irrigated.

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 1.74 cubic feet per second of water for beneficial use. The location of the diversion point(s) is on the James River any point between
and including the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T104N, R60W

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 irrigate the following land all in T104N, R60W

Section 15	NE $\frac{1}{4}$ SW $\frac{1}{4}$	25.5 Acres	(CA)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	34.2 Acres	(CD)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	23.0 Acres	(DB)
	SW $\frac{1}{4}$ SF $\frac{1}{4}$	32.3 Acres	(DC)
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.8 Acres	(DD)
	TOTAL	122.3 ACRES	

(4) Pursuant to §46-5-30.1 Walter Horr son
of RR#1 Box 294 Mitchell, South Dakota 57301
the holder(s) and/or owner(s) of Water ^{Right} ~~Permit~~ No. 1917-3 is issued a license to appropriate water, the right to use
1.74 cubic feet per second of water from the James River with a priority date
of December 22, 1971 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 ^{Right} ~~Permit~~ No. 1917-3 and subject
to South Dakota State Law.


Chief Engineer, Water Right Division
Department of Water and Natural Resources

JOHN HATCH

NOV 25 1986



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3121

Water Rights Division
605 775-3352

1917-3

NOV 25 1986

Walter Morrison
RR#1, Box 294
Mitchell, South Dakota 57301

Dear Mr. Morrison:

Enclosed is your Water Right License No. 1917-3. The water license has been reissued to the extent of what is actually being used. The relicense is based on a May 9, 1985 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:MS

enclosure



Department of Water & Natural Resources

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

April 18, 1988

1917-3

Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Morrison:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND-SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

James River Flow* Record

Date	LaMoure	Ludden	Columbia**	Ashton	Huron	Forestburg	Scotland
04/06/88	81.2	(state	15.0	37.7	48.0	105	285
04/11/88	134	line)	12.4	34.3	39.4	60.9	167
04/13/88	150		8.99	21.4	34.3	55.7	122
04/14/88	159	190	21.3	34.3	32.0	50.8	115
04/15/88	142		57.0	45.6	32.0	48.9	112

* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

** Sand Lake Refuge has increased releases due to inflows

The flow in North Dakota at LaMoure, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 15 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SE State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch", with a long horizontal flourish extending to the right.

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

1917-3



Department of Water & Natural Resources

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

January 29, 1988

WALTER MORRISON
RR #1 BOX 294
MITCHELL, SD 57301

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1917-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of 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 9:00 am, March 2, 1988 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). 1917-3 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 March 2 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

March 14, 1988

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: WALTER MORRISON
RR #1 BOX 294
MITCHELL, SD 57301

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

SUBJECT: Amendment to Water Permit No(s). 1917-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1917-3 to add the following qualification to each:

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

The addition of this qualification to your Permit(s) 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.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1917-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1917-3 to add the following qualification to each:

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

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

7a. EMPLOYEE'S
INITIALS



Department of Water & Natural Resources

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

June 28, 1988

NOTICE OF SHUTOFF ORDER

1917-3

TO: Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

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

John Hatch
by James McIntosh

SUBJECT: Shut Off Order To James River Water Right Holders
Located Between Huron and the Yankton County Line,
Effective 12:00 Noon on July 4, 1988.

I am certain that you are aware that James River Flows are not enough to supply all water rights. Therefore, to protect the domestic uses (livestock watering) on the James River, effective 12:00 noon on July 4, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

Let us know if you have any questions.





Department of Water & Natural Resources

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

July 28, 1989

NOTICE OF SHUTOFF ORDER

1917-3

TO: Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

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

SUBJECT: Shut Off Order to James River Water Right Holders
Located between Huron and I-90 at Mitchell Effective
Noon August 3, 1989.

The flows in the James River have declined at Forestburg to approximately 5 cfs. Therefore to protect domestic uses (livestock watering) on the James River, effective at 12:00 noon on August 3, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from this reach of the James River.

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



 **Department of
Water & Natural Resources**

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

February 9, 1990

WALTER MORRISON
RR #1 BOX 294
MITCHELL, SD 57301

NOTICE

RE: Violation of Water Permit No(s). 1917-3

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1917-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1917-3 qualification:

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

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

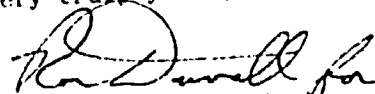
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

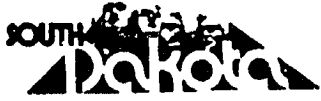
1. Suspend Permit No(s). 1917-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

Very truly yours,


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



Department of Water & Natural Resources

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

February 16, 1990

1917-3

Walter Morrison
RR 1, Box 294
Mitchell SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1917-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall, es

RON DUVALL
Natural Resources Engineer
Water Rights Division



Department of Water & Natural Resources

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

April 6, 1990

NOTICE OF SHUTOFF ORDER

1917-3

TO: Morrison, Walter
RR 1, Box 294
Mitchell, SD 57301

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

Delvin H. Brosz

SUBJECT: Shut Off Order to All James River Irrigation Water Right Holders-Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at most of the gaging stations. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) on the river below Huron, effective immediately, no pumping of water from the James River is authorized until January 1, 1991 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the 1990 irrigation season from the James River. If conditions do improve, notices will be issued, based on senior priority dates, to allow pumping by irrigators.

Sand Lake Wildlife Refuge is approximately one foot below the full level. The Refuge is entitled to the flows from North Dakota under a senior water right. The flows from North Dakota are expected to decrease due to the lack of snow pack. The storage levels in the Jamestown and Pipestem Reservoirs are down with no expected releases.

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

<u>Date</u>	<u>Ludden</u>	<u>Columbia</u>	<u>Ashton</u>	<u>Huron</u>	<u>Forestburg</u>	<u>Scotland</u>	<u>Yankton</u>
3/28/90	----	----	----	----	----	----	30.2
4/2/90	----	3.5	8.0	0	6.0	15.0	----
4/4/90	51.0	10.0	16.0	0	5.4	22.0	----

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

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

June 20, 1990

RESCISSION OF SHUTOFF ORDER

1917-3

TO: Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

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

SUBJECT: Rescission of April 6, 1990 Shutoff Order to James River Water Right Holders

The flows in the Lower James River have improved. Therefore, I am rescinding the April 6, 1990 shutoff order, effective immediately, for the section of the James River downstream from the Huron Third Street Dam to the I-90 bridge near Mitchell.

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

<u>Date</u>	<u>Ludden</u>	<u>Columbia</u>	<u>Ashton</u>	<u>Kuron</u>	<u>Forestburg</u>	<u>Scotland</u>
6/18/90	25.44	1.14	12.02	65.12	206.10	186.00
6/19/90	---	2.13	14.31	62.00	245.80	116.90
6/20/90	28.00	1.86	13.00	58.23	---	136.10

If the flows of the river should decrease to a level that will again require a shutoff in 1990, water rights with junior priority dates will receive shutoff orders first.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.



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

Department of Water & Natural Resources

August 8, 1990

NOTICE

1917-3

TO: Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

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

A handwritten signature in black ink, appearing to read "John Hatch".

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

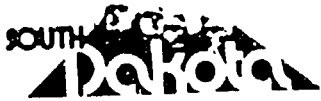
The August 10 automatic shutoff date for water diversions from the James River is still in effect. On some of the older permits this qualification though not listed is still valid and must be followed. Since there are still flows in portions of the James River, continuation of diversions beyond the shutoff date will be considered on a case by case basis. To do this you need to contact Water Rights Division in Pierre.

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

<u>DATE</u>	<u>LUDDEN</u>	<u>COLUMBIA</u>	<u>ASHTON</u>	<u>HURON</u>	<u>FORESTBURG</u>	<u>SCOTLAND</u>
8/06/90	0.0	0.0	14.3	128.0	188.0	99.0
8/01/90	0.0	0.0	10.6	108.1	166.5	119.5
8/02/90	0.0	0.0	7.6	99.0	146.2	138.9

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

April 2, 1991

1917-2

Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

Dear Mr. Morrison:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

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

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 5, 1991

NOTICE

1917-3

TO: Walter Morrison
RR 1, Box 294
Mitchell, SD 57301

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

Delvin D. Bross

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

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

DATE	LUDDEN	COLUMBIA	ASHTON	HURON	FORESTBURG	SCOTLAND
7/31/91	6.7	63	130	139	142	148
8/02/91	17	58	125	134	139	154
8/05/91	0.3	36	101	128	140	166

If you have any questions, please contact Del Bross or Mark Rath, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone (605) 773-3352

cc: City of Huron, Water Superintendent



WALTER MORRISON
RR #1 BOX 294
MITCHELL SD 57301

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

RE: Violation of Water Permit No(s) 1917-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1917-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 5, 1992

1917-3

Walter Morrison
RR #1 Box 294
Mitchell, SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 1917-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,


Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and or 2 for additional services.
- Complete items 3, and 4a & b.
- 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 Fee will provide you the signature of the person delivered to and the date of delivery.

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:

WALTER MORRISON
RR #1 BOX 294
MITCHELL, SD 57301

4a. Article Number

P 906 557 830

4b. Service Type

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

7. Date of Delivery

NOV 29 1990

5. Signature (Addressee)

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

6. Signature (Agent)

Walter Morrison



June 3, 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE OF SHUTOFF ORDER

1917--3

TO: WALTER MORRISON
RR 1 BOX 294
MITCHELL, SD 57301

FROM: JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Shut Off Order to All James River Water Right Holders
With Diversion Points Between the Third Street Dam in
Huron and I-90 near Mitchell, Effective Immediately.

The flows in the James River are listed below:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
6/2/92	45	0	---	0	5.3	22
6/3/92	0	0	---	0	5	18

To protect remaining water supplies for domestic use (livestock watering), effective immediately, no pumping of water from the James River between the Third Street Dam in Huron and I-90 near Mitchell is authorized until January 1, 1993 or until further notice. Shut off orders were issued several weeks ago for those water rights above Third Street Dam in Huron.

Unless flow conditions change, it appears that no pumping will be allowed for 1992 from the James River above I-90. If conditions improve, notices will be issued, based on senior priority dates, to allow pumping by water users.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 22, 1992

RESCISSION OF SHUTOFF ORDER

1917-3

TO: WALTER MORRISON
RR 1 BOX 294
MITCHELL, SD 57301

FROM: *John Hatch* John Hatch, Chief Engineer *Delvin D. Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of June 3, 1992 Shutoff Order to
James River Water Right Holders from the
Huron Third Street Dam to I-90 near Mitchell

The present flow conditions on the James River are sufficient to allow for diversions. The Shutoff Order of June 3, 1992 is rescinded, effective immediately, for James River Water Right Holders between the Huron Third Street Dam and I-90 near Mitchell. We will continue to monitor the flows of the James River through the summer. The present increase in flow may only be temporary. If the present flow conditions continue, pumping will be allowed until the mandatory August 10 shutoff date. Pumping after the August 10 shutoff date will be handled on request and requires written approval from the Chief Engineer.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.



1917-3

January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3131**NOTICE**

TO: WALTER MORRISON, RR #1 BOX 294, MITCHELL, SD 57301

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

SUBJECT: Violation of Water Permit No(s) 1917-3

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1917-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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.

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

WALTER MORRISON
RR #1 BOX 204
MITCHELL SD 57301

4a. Article Number

2161 984 065

4b. Service Type

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

7. Date of Delivery

FEB - 2 1994

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X-2W Alby Morrison

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

1917-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 16, 1996

1917-3

Walter Morrison
RR 1 Box 294
Mitchell, SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, **Notice of Violation of Water Permit No. 1917-3.**

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

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:

WALTER MORRISON
RR 1 BOX 294
MITCHELL SD 57301

1917-3

4a. Article Number

P 378 080 556

4b. Service Type

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

7. Date of Delivery

FEB - 7 1997

5. Received By: (Print Name)

SCOTT MORRISON

6. Signature (Addressee or Agent)

X [Signature]

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



February 4, 1997

1917-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: WALTER MORRISON, RR 1 BOX 294, MITCHELL, SD 57301
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s). 1917-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 1917-3. 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

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, 46-1-11, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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 57501-3181

February 10, 1997

1917-3

Walter Morrison
40980 247th St
Mitchell, SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of Water Permit No. 1917-3.

I completed a questionnaire for you based on my February 10th telephone conversation with Shirley Morrison. 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



1917-3
**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: WALTER MORRISON, 40980 247TH ST, MITCHELL, SD 57301

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(s) has not been submitted for Permit No(s) 1917-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at 9:45 am, March 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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.

1917-3

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 in 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:

WALTER MORRISON
40980 247TH ST
MITCHELL SD 57301

4a. Article Number

2119 141 591

4b. Service Type

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

7. Date of Delivery

JAN 28 1988

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X *Walter Morrison*

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

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1999

1917-3

Walter Morrison
40980 247th St
Mitchell, SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit No. 1917-3.

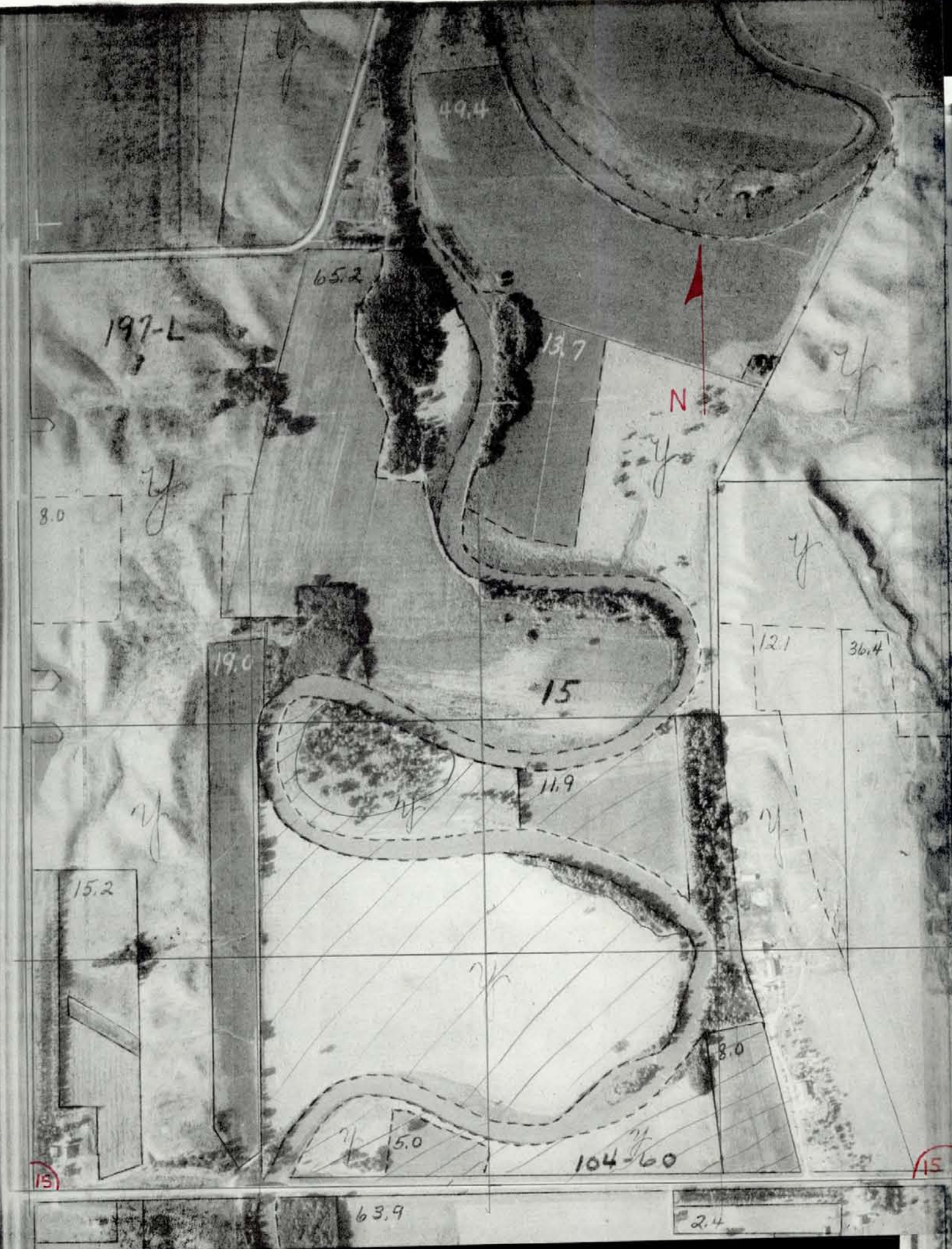
I completed a questionnaire for you based on my February 1st telephone conversation with Mrs. Morrison. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling, Mrs. Morrison, and if you have any questions, please contact me.

Sincerely,

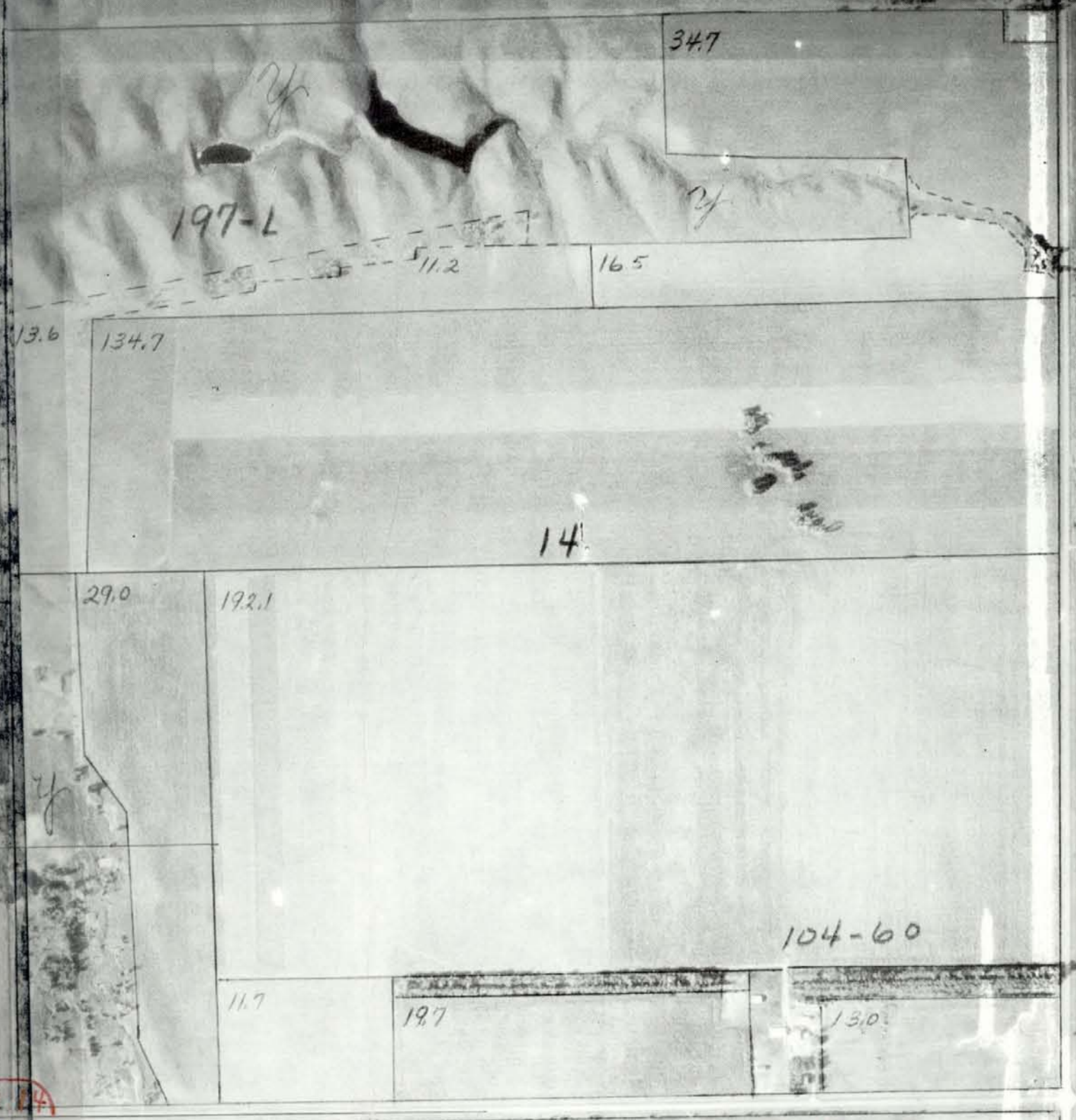
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

1917



1917

NOT TO SCALE



449
Ron Duvall
Natural Resources Eng
5/9/85

License No. 1917-3
Map No. 1357-3

197-L



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2006

NOTICE OF SHUTOFF ORDER

TO: WALTER MORRISON
40980 247TH ST
MITCHELL SD 57301

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: James River Shutoff Order

Shutoff Order for Water Right No(s). 1917-3

To protect domestic use on the James River, the department is issuing shutoff orders to water right holders on the James River from the Yankton-Hutchinson county line north to the North Dakota border. Effective immediately, no diversions of water from the James River will be allowed. Previous to this Order, shutoff orders were issued for water right junior to January 1, 1975 located upstream of Huron.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. USGS gaging stations over this entire river reach are measuring flow levels at or below 20 cubic feet per second, the required bypass for downstream domestic use. This order will remain in effect until the end of the calendar year.

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

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

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

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



1917-3
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 26, 2007

NOTICE

TO: WALTER MORRISON, 40980 247TH ST, MITCHELL, SD 57301
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1917-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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, 2007, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.

1917-3

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Label/Receipt Number: 2303 2160 0000 0799 6088

Status: **Delivered**

Your item was delivered at 10:35 AM on January 29, 2007 in MITCHELL, SD 57301. The item was signed for by S MORRISON.

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U.S. Postal Service™ Signature Confirmation™ Receipt	
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 6088	WALTER MORRISON 40980 247TH ST MITCHELL SD 57301
	Waiver of Signature ☐ YES ☐ NO
	Postmark Here
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811
	CHECK ONE (POSTAL USE ONLY) ☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel
1. Printed Date: May 2002 (S&S) (R=MEMBER)	



**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 2, 2007

1917-3

Walter Morrison
40980 247th St
Mitchell SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 1917-3.

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



1917-3
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 23, 2009

NOTICE

TO: WALTER MORRISON, 40980 247TH ST, MITCHELL, SD 57301
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1917-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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.

1917-3

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Label/Receipt Number: 2303 2160 0000 0802 7170
Status: **Delivered**

Your item was delivered at 2:34 PM on January 26, 2009 in MITCHELL, SD 57301. The item was signed for by P MORRISON.

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No FEAR Act EEO Data

FOIA

WALTER MORRISON 40980 247TH ST MITCHELL SD 57301	
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 7170	Waiver of Signature ☐ YES ☐ NO
	Postmark Here
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811	
☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**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 28, 2009

1917-3

Walter Morrison
40980 247th St
Mitchell SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 1917-3.

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



1917-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 6, 2012

**JAMES RIVER WATER RIGHT QUALIFICATION REMINDER
WATER RIGHT NO(s). 1917-3**

To: WALTER MORRISON
40980 247TH ST
MITCHELL SD 57301

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

Subject: James River Qualification Reminder for Permit No(s). 1917-3

Qualifications on your water right indicate that you are not authorized to divert James River water after August 10th. Please, consider this a reminder and cease diversion if you have not already done so. No diversion can take place after August 10th unless under written orders by the Chief Engineer. You may resume diversion on the date stated in the qualifications on your water right.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 16, 2021

Dear James River Water Right Holder:

I am writing to water right holders and operators who either use water from the James River or tributaries under permits with the August 10 shutoff date qualification.

Water rights containing this qualification requires a mandatory compliance and pumping under your permit must cease after August 10th unless you contact the Water Rights Program and receive permission to continue to divert water.

Water Rights staff drove along the James River last week after the August 10 shutoff date to spot-check whether water right holders were complying with this qualification. This spot-check found multiple water right holders diverting water in violation of this qualification.

Again, I remind you, compliance with this shutoff qualification is required unless you request and receive permission from the Water Rights Program to continue pumping. Permission may be granted based upon water availability.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program

1917-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: WALTER MORRISON, 40980 247TH ST, MITCHELL, SD 57301
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1917-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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 2, 2022** 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: <https://danr.sd.gov/iq> using this password: BKCOGW**

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.

1917-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 1, 2022

1917-3

Walter Morrison
40980 247th St
Mitchell SD 57301

Dear Mr. Morrison:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 1917-3. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

1917-3

January 26, 2024

1917-3

Walter Morrison
40980 247th St
Mitchell SD 57301

Dear Mr. Morrison:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1917-3. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: WALTER MORRISON, 40980 247TH ST, MITCHELL, SD 57301

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1917-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1917-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1917-3 in accordance with applicable provisions of SDCL 46-1-12;
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 6, 2024** 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: RFXMBZ**

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 AGRICULTURE
and NATURAL RESOURCES**

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

October 21, 2025

1917-3

Walter Morrison
24896 411th Ave
Mitchell SD 57301

Dear Mr. Morrison:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaire.

The notice was originally mailed to you at 40980 247th St, Mitchell SD 57301. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **HJJSVF**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

581 NFE 114162510010/14/25
RETURN TO SENDER
MORRISON
24896 411TH AVE
MITCHELL SD 57301-5244

RETURN TO SENDER

