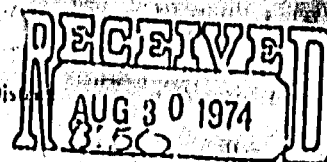


Map No. 1506-3 Water Division No. 3 Big Sioux River
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Virgil Mallet Jr.
Postoffice address Jefferson, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Mallet Irrigation System
4. Amount of water claimed (cubic feet per second) 2500 gal/min. 2.28 MAXIMUM ALLOWABLE
5. Source of water supply well
6. Location of point of diversion 1320' south and 1320' west of the NE corner of Section 10 T82N R19W
County Union
7. Annual period or periods during which water is to be used June - August
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 160 acres

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE 1/4 Sec. 10 T82N R19W	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Leader Courier, Elk Point, S.D. 57025
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Irrigating corn and beansEstimated Total Cost \$ \$1,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Union) ss.I, Virgil Mallet Jr. the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Virgil Mallet Jr.Subscribed and sworn to before me this 26th day of August, 1974Flora D. Messer
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION hereby approves Water Right Application No. 2108-3
VIRGIL MOLLET, JR. JEFFERSON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57038 With the following modifications:
 (State)

The irrigation well approved under this permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application AUGUST 30, 1974
 Date of return to applicant for correction, amendments or changes required ---, 19---
 Date of receipt of corrected application ---, 19---
 Approved NOVEMBER 13, 1974, Recorded in Book 13, Page 97

WATER RIGHT PERMIT NO. 2108-3

WATER RIGHTS COMMISSION hereby grants and issues this Water Right Permit No. 2108-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 30, 1974
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 1977
3. The whole of said work is to be completed on or before NOVEMBER 13, 1979
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 1979
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 13, 1979; said water to be used during the following described annual period: JUNE - AUGUST

Witness my hand this 18TH day of NOVEMBER, 1974

WATER RIGHTS COMMISSION

By:

Daniel Driscoll
 Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 26, 1978

Water License Issued JUNE 26, 1978

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

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 105'
(2) Casing, Type Concrete Diameter 16" Thickness 40'
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type slotted, Diameter 16", Length 40'
(4) Gravel Pack, Thickness 3", Length of gravel pack 50'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

() Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 33' to waterbearing materials

Depth to top of water bearing material 60'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 45'

Depth to water (ground surface to water level) 14'

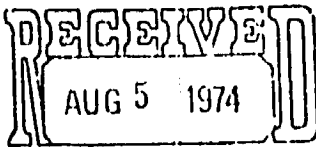
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others 320 rods _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each s. dam. The location of each water storage dam should be shown on the water right map.

Wingel M. Miller
Signature of Applicant



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

August 2, 1974



Mr. Virgil Mollet, Jr.
Route 1
Jefferson, SD 57038

Dear Mr. Mollet:

The Report of Analysis of your water sample submitted July 29 is enclosed. Also, you will find a copy of Extension Circular 654 with the quality of your water designated by an encircled red cross on the back cover.

A copy of this letter, the WI-1 form, and a copy of the analysis are being forwarded to the State Conservation Commission for their action.

There should be no difficulty irrigating soils of the nature you have in Section 10 with this water. Although it is classified as high salinity, the internal drainage of the soils on that site is satisfactory so there should be no salt accumulation difficulty. Furthermore, the sodium adsorption ratio, which is a measure of the alkali hazard, is low.

Sincerely yours,

Lawrence O. Fine

Lawrence O. Fine
Water Quality Lab

LOF:111

Enclosures

CC: -State Conservation Commission
Louia DeSmet, Union County Agent
Darrel Pahl

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SECL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: W. J. L.

Disapproved: 5/15/77

NAME: Wigil Well Co.
ADDRESS: R.R. 1, Jefferson & Co.
COUNTY: Union

LEGAL DESCRIPTION

1. WELL LOCATION: NE⁴ - 10 - 89 - 49
2. AREA TO BE IRRIGATED: 140 ac

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Valley Electric Center Pivot
4. CROPS TO BE IRRIGATED: Corn & Bean

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Heavy Silty Clay loam
Ideal for Irrigation (Ass + Supp by 1934 Soil Survey)

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-552
8. SALINITY: EC = 1265 (High)
9. SODIUM: SAR = 1.92 (Low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Test well in center of NE 10 89-44

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Wingel Mollison

Subscribed and sworn before me this

26 day of July 1974.

Flora H. Miers

Notary Public

(Title)

REPORT OF ANALY.
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Virgil Hollet, Jr.
Address Rt. 1
Jefferson, SD 57038

Date Rec'd July 29, 1974
Sample No. 74-552
Identification Well-
NE1, Sec. 10, T 89N, R 49W

WATER ANALYSIS

Calcium (Ca)	130	ppm*	6.50	me/l**
Magnesium (Mg)	43	ppm	3.53	me/l
Sodium (Na)	99	ppm	4.31	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	167	ppm	3.47	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	15	ppm	0.42	me/l
Bicarbonate (HCO ₃)	693	ppm	11.36	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	568	ppm (as CaCO ₃)		
Alkalinity (Pencolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1265	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.92			
Sodium	29.52	% of cations		
Residual sodium carbonate	1.33	me/l		
pH	7.19			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 14.60 me/l
Total anions 15.25 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-552

Amount I used \$

Signed

WATER LICENSE NO. 2108-3

(1) WHEREAS, On the 30th day of August A.D. 1974

Virgil Hollet Jr.

made Water Right Application No. 2108-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater

County of Union, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 13th day of November A.D. 1974

Permit No. 2108-3, with a date of priority of August 30, 1974

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 13th day of November A.D. 1979 and for the application to beneficial use of said water on or before the 13th day of November A.D. 1979

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 1.98 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 portions of the following described land all in Section 10-T89N-R49W	
	acres
NE 1/4 NE 1/4	33
NE 1/4 NE 1/4	33
SW 1/4 NE 1/4	33
SE 1/4 NE 1/4	33
	132

(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 Virgil Hollett Jr.

_____ of Jefferson, South Dakota

the holder _____ and owner _____ of said permit No. 2108-3 a water right, dating from August 30, 1974

_____ to use of 1.80 cubic feet per second of the waters of groundwater

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at 1305 feet South and 1320 feet West of the

NE Corner of Section 10-T89N-R49W

and conduct to and upon portions of land in Section 10-T89N-R49W more fully described on the
face of this license.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2108-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of June A. D.
Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 2108-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Virgil Moller Jr.

_____ the holder _____ of
Permit No. 2108-3, issued upon Application No. 2108-3, bearing date of priority of August 30,
1974 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater County of Union, State of South Dakota *
1305 feet South and 1320 feet West of the NE Corner of Section 10-
T89N-R49W

_____, for Irrigation

purpose, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date June 26, 1978

By: John Hatch
WATER RIGHTS COMMISSION
JOHN HATCH, Chief Engineer

No. 2108-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Byron Helgerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Leader Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

_____ city _____ of Elk Point

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

October 31, 1974

November 7, 1974

Byron Helgerson
(Signature)

Publisher

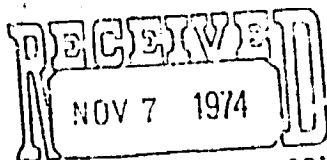
(Title)

11 7 74

(Date Signed)

NOTICE INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
October 17, 1974
Notice is hereby given that
Virgil Mollett, Jr. whose post
office address is Jefferson, South
Dakota, has made an applica-
tion in accordance with the pro-
visions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.28 cubic feet of water per sec-
ond of time from the ground wa-
ter through the Mollett Irriga-
tion Project, the point of diver-
sion of which is to be located in
the center of the NE $\frac{1}{4}$ of Section
10, Twp., 89N, Range 49W.
Said water to be used for the
purpose of providing irrigation
on the following described land:
NE $\frac{1}{4}$, Section 10, T89N, R49W.
This application No. 2108-3
will be considered by the Water
Rights Commission at the Emb-
assy Room #1 at the Downtown
Holiday Inn at Sioux Falls, SD
upon the 13th day of November,
1974, at 2:30 p.m. All interest-
ed persons may appear and be
heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
Pub: Oct. 31 & Nov. 7



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

No. 2108-3Publish first publication, on or before October 31, 19 74.NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 17, 19 74Virgil Mollett, Jr.

Notice is hereby given that

whose post office address is Jefferson, 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 use2.28 cubic feet of water per second of time from the ground water through the Mollett Irrigation Project, the point of diversion of which is to be located in theCenter of the NE $\frac{1}{4}$ of Section 10, Twp. 89N, Range 49W. Said water to be used for the purpose

of providing irrigation on the following described land:

NE $\frac{1}{4}$, Section 10, T89N, R49WThis application No. 2108-3 will be considered by the Water Rights Commission at the Embassy Room #1 at the Downtown Holiday Inn at Sioux Falls, S.D.~~XXXX~~ upon the 13th day of November, 19 74, at 2:30 P. M. All interested

persons may appear and be heard.

BFI/bw

WATER RIGHTS COMMISSION

By:

BURT G. F. JORD

Water Rights Specialist

cc: Virgil Mollett, Jr. Jefferson, S.D. 57038

Form 10.

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

Post Office Jefferson

Date 10-18-75

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

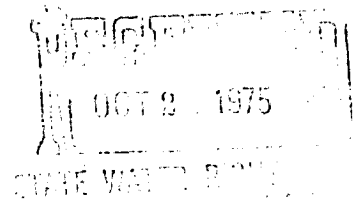
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2108-3

Water Right Permit No. 2108-3 states that the diversion system is to be constructed by Nov. 13, 1979 and that the water is to be put to beneficial use by Nov. 13, 1979.

The diversion system was completed on July 1, 1975. Applying the water to beneficial use was completed on Aug. 1, 1975.

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

Wendell M. Nelson
(Signature)



Permit No. 2108-3Water Division 3 Big Sioux River Water DistrictREPORT 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 Virgil
Mollet Jr. of Jefferson, S. Dak. 57038 holder
of Permit No. 2108-3, bearing date of priority of August 30, 1974
authorizing the diversion of 2.28 c. ft. per second of the waters of Ground
for Irrigation purposes, in Union 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:

Motor -- General Electric, Model 5K625 8x H.I.A.
Ser # A4J 108596. 75 HP, 1775 RPM

Pump -- Western Land Roller pumping 900 gpm

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

157 ft 8" dia aluminum pipe

C. Works used to apply water to beneficial use.

Alumigator by Electropator Center Pivot

The system is in the following condition: Excellent

The point of diversion is located 1305 ft South and 1320 ft West of the
NE corner of section 10, T89N R49W

The works are capable of diverting and conveying to the place of use 2.0cu. 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 section 10, T89N R49W

NW 1/4 NE 1/4 - 33.0 Ac., NE 1/4 NE 1/4 - 33.0 Ac., SW 1/4 NE 1/4 - 33.0 Ac.
SE 1/4 NE 1/4 - 33.0 Ac.

comprising a total of 132 acres of land.

Well data.

Depth 115 ft.Pumping 900 GPM

Date

June 3, 1977

Leroy J. McManis
(Signature)

11

1945

THE UNIVERSITY OF CHICAGO

[illegible]

100

Journal of Management Education 30(6)p.789-804
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1792 Aug 4
Wed. 1792

1184-124, 50

100

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 6466

PIERRE, June 19, 1978

RECEIVED OF Virgil Mollot, Jr., Jefferson, SD 57036

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. 21111-15	12	00
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By John Hatch plh
Chief Engineer, Executive Officer
JOHN HATCH plh



Department of Water & Natural Resources

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

April 12, 1985

Virgil Mollet, Jr.
RFD 1
Jefferson SD 57038

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 2108-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 2108-3 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.

Sincerely,

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

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

Joe Foss Building
E22 East Capitol
Pierre, South Dakota 57501-3181

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Virgil Mollet Jr.
RFD #1
Jefferson, SD 57038

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

SUBJECT: Amendment to Water Permit No(s). 2108-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2108-3 to add the following qualification:

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

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

SOUTH DAKOTA

Department of Water & Natural Resources

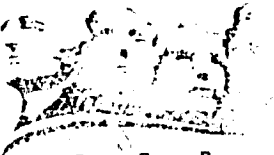
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

Attachment to Water Permit No(s). 2108-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2108-3 to add the following qualification:

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

South Dakota



GREAT FACES. GREAT PLACES.
February 1, 1991

VIRGIL MOLLZTT JR
RFD #1 BOX 128
JEFFERSON SD 57038

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

2108-3

NOTICE

RE: Violation of Water Permit No(s) 2108-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2108-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 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) 2108-3 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, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, 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, the Water Management Board can:

1. Suspend Permit No(s) 2108-3 until the 1990 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 February 27th 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,

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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 13, 1991

2108-3

Virgil Mollett Jr
RFD 1 Box 128
Jefferson, SD 57038

Dear Mr. Mollett:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 2108-3. You may disregard the February 1, 1991. Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: VIRGIL MOLLETT JR, RR 1 BOX 625, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2108-3 & 5906-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(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) 2108-3 & 5906-3 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, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 2108-3 & 5906-3 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 20, 1998, 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.

Thank you for using Return Receipt Service.



2108-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1998

2108-3
5906-3

Virgil Mollett, Jr
RR 1 Box 625
Jefferson, SD 57038

Dear Mr. Mollett:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 2108-3 and 5906-3.

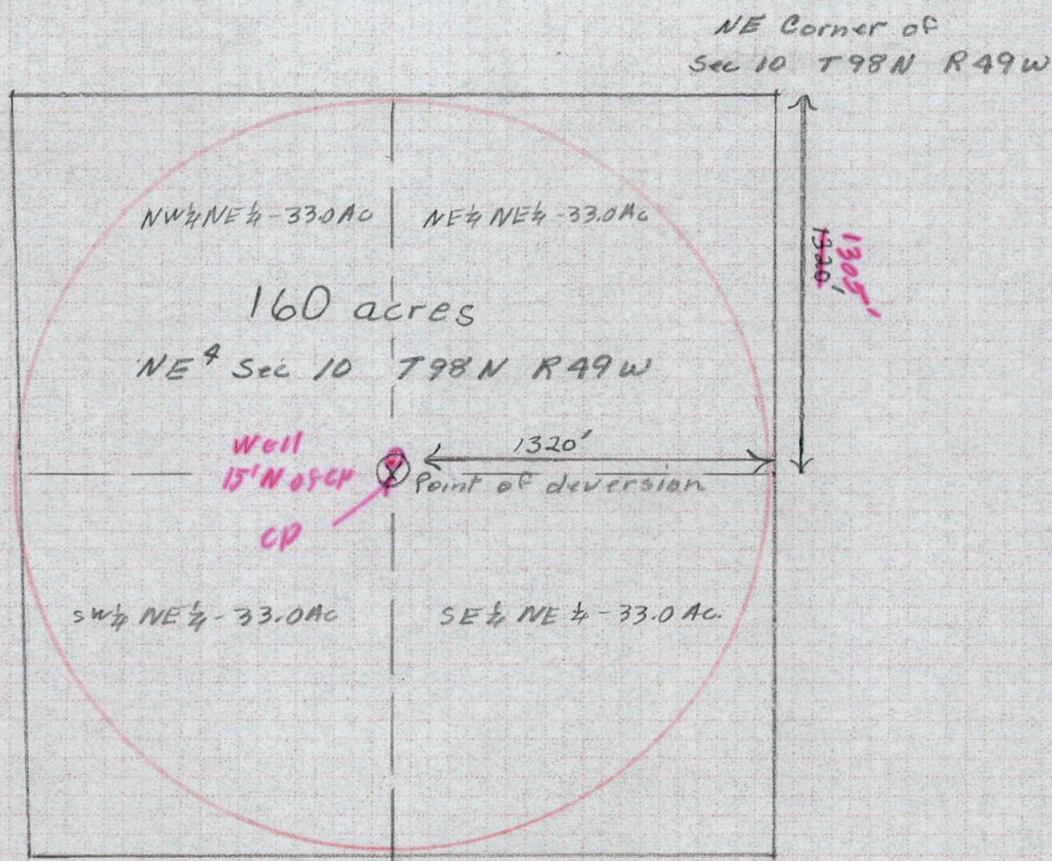
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1320 Feet South & 1320 Feet West
 of the NE Corner of
 Sec 10 T98N R49W



Virgil Mollet Jr.
 Center pivot Irrigation system
 Jefferson, So. Dak.
 Union County

160ac To be
 Irrigated

NE 1/4 Sec 10 T98N R49W

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

Designed C.K. Dahlgren
 Drawn Gary A. Girard

Date

Approved by C.K. Dahlgren
 Title District Conservationist

Traced

Title

Sheet

Drawing No.

No. 1

1

Checked

of 1

MAP NO 1506-3 (APP NO 2108-3) APRIL 1963