

2218-3

1. Considered 3-19 '75
2. Name of Applicant WILBUR, EUGENE & KATHERINE SLABA
3. Post Office Address WAGNER
4. Amount of water claimed 2.50
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION

Acres to be irrigated 260

7. Water to be diverted and used in CHARLES MIX county
about 1W 5N miles of WAGNER

8. Proof of Publication Received 3-14-75

Not Received _____

9. Application

Approved _____

Subject to _____

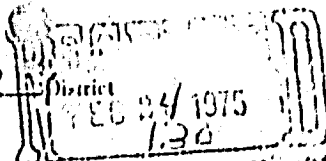
Not Approved _____

Action deferred _____

10. Remarks:



85'
Domestic Well Class

Map No. 1614-3 Water Division No. 3 MISSOURI RIVER
 (Blanks to be filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT TO APPROPRIATE WATER RIGHTS COMMISSION, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Wilbarger, Eugene and Katherine Slaba
 Postoffice address Wagner 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) Combination
3. Name of diversion work Slaba Brothers Irrigation System
4. Amount of water claimed (cubic feet per second) 2.5
5. Source of water supply Ground Water
6. Location of point of diversion Center of NE 1/4, Section 8, T93N, R57W

- County Charles Mix
7. Annual period or periods during which water is to be used April thru October
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 260

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.
<u>N 1/2, Sec. 8, T93N, R57W</u>	<u>260</u>		
<u>76 63</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Four years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Wagner Post, Wagner, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Well, pump and motor

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

Mainline

C. Works proposed to apply water to beneficial use.

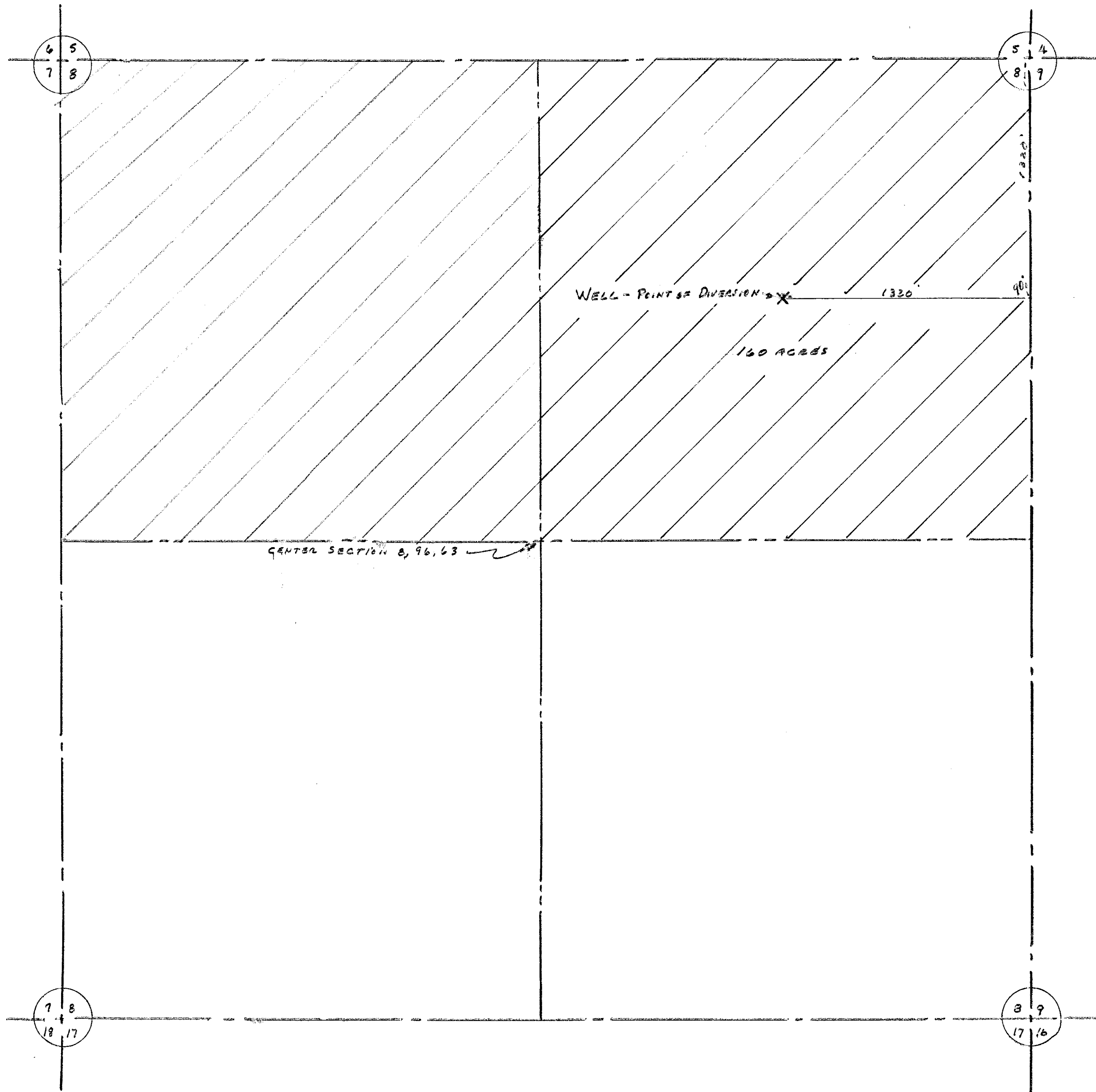
Center PivotEstimated Total Cost \$ 38,000.00
 Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation)

STATE OF SOUTH DAKOTA

County of Hughes
 I, Wilbarger Slaba the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.
Signed Wilbarger SlabaSubscribed and sworn to before me this 18th day of February 19 75

Notary Public (or other qualified officer).

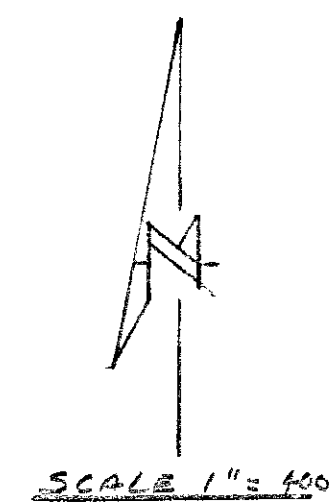
Betty Westlund
Betty Westlund, LWC II



AREA BY LEGAL SUBDIVISION
160 ACRES: NE 1/4, SECTION 8, T 93N, R 23W, 5TH PM.

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA) S)
COUNTY OF MINNEAPOLIS)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF WILBUR J. SLABA,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON DEC 27, 1974 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 27TH DAY OF DEC. 1974

Harlan W. Meyer
REG. L.S. # 495



WILBUR J. SLABA IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL DIVERSION POINT
FOR PERMIT TO APPROPRIATE WATER
OWNER WILBUR J. SLABA
SURVEYOR HARLAN W. MEYER

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2218-3
WILBUR, EUGENE & KATHERINE SCABA WAGNER
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57380 With the following modifications:
 (State)

THE WELL GRANTED UNDER THIS PERMIT SHALL NOT, UNDER ANY CIRCUMSTANCES, BE DRILLED DEEPER THAN 85 FEET FROM GROUND SURFACE

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 or in irrigation wells having prior water rights.

Date of first receipt of application FEBRUARY 24 19 75
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application FEBRUARY 28 19 75
 Approved MARCH 19 19 75, Recorded in Book 13 Page 244

WATER RIGHT PERMIT NO. 2218-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2218-3 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 FEBRUARY 24 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 19 19 76
3. The whole of said work is to be completed on or before MARCH 19 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 19 19 81
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.5 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 MARCH 19 19 81; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 9TH day of APRIL 19 75

WATER RIGHTS COMMISSION

By:

Donald D. Dainoff
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 32 inches, Depth 80 feet

(2) Casing, Type concrete, Diameter 18, Thickness 2 inches
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Concrete, Diameter 18 inches, Length 40 feet

(4) Gravel Pack, Thickness 7 inches, Length of gravel pack 40 feet

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

; gravel and sand 10 feet to 80 feet

Depth to top of water bearing material 10 feet

Depth to bottom of water bearing material 80 feet

Thickness of water bearing material 70 feet

Depth to water (ground surface to water level) 10 feet

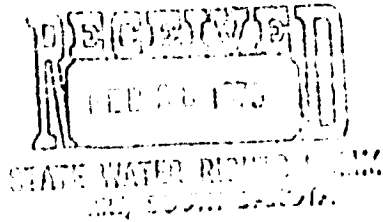
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 80 rds. On property owned by others 80 rds.

G. Water Storage Dams.

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

William J. Slaba
Signature of Applicant



February 21, 1975

Mr. Wilbur Slaba
Wagner, S.D. 57330

Dear Mr. Slaba:

The water sample which you brought in from a test hold on February 19 has now been analyzed and the original copy of the report of analysis is enclosed for your use and keeping. Also you will find a copy of Extension Circular 654 with the approximate quality of your water for irrigation purposes designated by an encircled red cross on the outside back cover. Please read this Extension Circular carefully.

Although this water is on the upper edge of the "high salinity" bracket for irrigation waters and thus presents somewhat of a salinity hazard, it does have a low sodium content, being only 30% sodium and having a sodium adsorption ratio of 2.90. With this being the situation and with your soils having an underlayer of gravel at about three to five feet, this water should work satisfactorily for irrigation for a considerable period of time.

However, there may be a tendency for grayish or white salt encrustations or accumulations to show up on the surface of the soil and you may even see effects in reduced vigor of crops. If this occurs you should take steps to provide opportunity for leaching of salts as follows. Late in the fall or early in the spring irrigate thoroughly to completely fill the soil reservoir with water allowing the chance for natural snow and rain water to leach the salts downward and out of the root zone. This will not be a positive consequence every time you do this, but occasionally we will be fortunate enough to get substantial rains in April and May and at that time of the year the precipitation is very effective and will cause considerable leaching if the soil profile is full of water ahead of time.

I recommend that the irrigation equipment you purchase be so designed as to apply large quantities of water infrequently, rather than the reverse. A copy of this letter and the water analysis and the WI-1 form are being forwarded to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:MRB.

Enclosures

cc: State Conservation Commission

Mr. Arnold Blackman, Charley Mize County Agent

February 5, 1975

Wilbur J. Slaba
Wagner, SD 57330

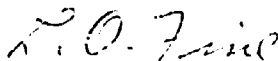
Dear Mr. Slaba:

Your water analysis has been completed and we have received your WI-1 form in connection with your application. The original copy of the analysis is enclosed for your keeping. A copy of the analysis and a copy of this letter and the WI-1 form will be sent today to the State Conservation Commission.

Your water is high in salinity and medium in sodium hazard. This means that there is a considerable chance that total salts in the water are high enough to cause moderate accumulation of salts in the root zone of crops unless there is a conscious effort at leaching the soil periodically. It means that you should fill the profile up with water late in the fall, if possible just before freeze-up, and depend on some displacement downward by natural precipitation, perhaps one year in three.

In addition to the total salt hazard there is a hazard of sodium causing dispersion of the clays. This will show up as excessive cloddiness and difficult tillage when dry and extremely wet and slippery conditions when moist or wet. Eventually this results in destruction of the soil structure and difficulty in getting stands of crops. It also interferes with the root movement through the soil and use of nutrients and water contained therein. These two hazards (salinity and sodium) make this water indeed questionable for use. I would recommend that if you develop this land for irrigation you irrigate only in large quantities such as two or three inches or more each irrigation; never in small quantities such as an inch or an inch and a half. Small frequent irrigations increase the chance of both salt accumulation and sodium-caused dispersion of clays. The prospects for continued success with that type of irrigation are very poor with this kind of water and with the soil situation which usually prevails in Charles Mix County, that is the internal drainage is usually only moderately good at best. Sometimes it is very poor.

Sincerely yours,



L. O. Fin
Water Quality Lab

LOF:MRB

Enclosure

CC: State Conservation Commission
Arnold Rieckman, Charles Mix County Agent
Darrel Pahl

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

FOR COMMISSION USE ONLY
Irrigation System: _____
Water Quality: _____
Soils Capability: HC2
Approved: Jess H. H. H.
Disapproved: _____

NAME: Wilbur J. Slaba
ADDRESS: Wagner St 29
COUNTY: Charles Mix

LEGAL DESCRIPTION

1. WELL LOCATION: Center of N.E. 1/4 Sec. 8-96-63
2. AREA TO BE IRRIGATED: NE 1/4 Sec. 8-96-63

TYPE OF IRRIGATION

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

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Capability HC2
Silty loam - Moderate permeability

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-052
8. SALINITY: EC = 2019 micromhos/cm (high)
9. SODIUM: SAR = 8.15 (medium)

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

and:

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

William J. Luba

Subscribed and sworn before me this

15 day of June 1975.

W. J. Luba

I am a _____
My Commission Expires _____

(Title)

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

Submitted by: William Blaha Date Rec'd January 27, 1975
 Address: Wagner, SD 57360 Sample No. 75-052
 Identification Well-
NE 1, Sec. 8, T. 96N, R. 63W

WATER ANALYSIS

Calcium (Ca)	110	ppm*	5.50	me/l**
Magnesium (Mg)	23	ppm	1.89	me/l
Sodium (Na)	360	ppm	15.66	me/l
Potassium (K)	26	ppm	0.68	me/l
Sulfate (SO ₄)	440	ppm	9.15	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	210	ppm	5.88	me/l
Bicarbonate (HCO ₃)	312	ppm	5.12	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)	256	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2019	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	8.15			
Sodium	65.99	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.32			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 23.73 me/l
 Total anions 20.15 me/l

By: Shirley Mitten

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. 75-052

Amount Enclosed \$

Signed

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED

(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: Slab 2/1/81
2/1/81

Disapproved: _____

NAME: Slab Bros. William & Eugene Kather

ADDRESS: Wagon S D

COUNTY: Cherokee

LEGAL DESCRIPTION

1. WELL LOCATION: NF-1-8-84-63 84-
2. AREA TO BE IRRIGATED: North 1/2-8-94-63 8-96-63

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): center pivot system
4. CROPS TO BE IRRIGATED: Corn 27 miles

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-2
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: a-c-A-1-1

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-100
8. SALINITY: EC = 2220 (high)
9. SODIUM: SAR = 2.90 (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

_____.

and:

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

Stefan Boushiller, Engineer, Reithorn.

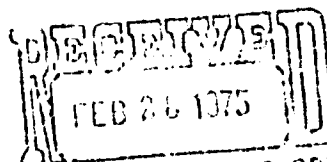
Subscribed and sworn before me this

19 day of February 1975.

Martha M. M. M.

Register & Clerk

(Title)



STATE WATER RIGHTS COMM.
SIOUX FALLS, SOUTH DAKOTA

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

Submitted by: William M. LaBa

Date Rec'd Feb. 19, 1975

Address: Reynolds, SD 57380

Sample No. 75-100

Identification Test Hole 96 62

NE 1/4, Sec. 8, T 93N, R 64W

WATER ANALYSIS

Calcium (Ca)	290	ppm*	26.50	me/l**
Magnesium (Mg)	79	ppm	6.48	me/l
Sodium (Na)	216	ppm	9.40	me/l
Potassium (K)	18	ppm	0.46	me/l
Sulfate (SO ₄)	875	ppm	18.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	51	ppm	1.43	me/l
Bicarbonate (HCO ₃)	398	ppm	6.52	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)	326	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2220	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.90			
Sodium	30.47	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.30			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS: Total cations 30.84 me/l
 Total anions 26.15 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation analysis

\$6.00 P/ID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-100

Amount Enclosed \$

Signature

Form 6 - Notice of Intent to Appropriate Water

No. 2218-3

Publish first publication, on or before March 6, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 28, 1975

Notice is hereby given that Wilbur, Eugene and Katherine Slaba

whose post office address is Wagner, 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

2.5 cubic feet of water per second of time from the ground water (80' deep well)

Slaba Brothers Irrigation Project, the point of diversion of which is to be located in the

Center of the NE 1/4

of Section 10, Twp. 96N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2, Section 8, T96N, R63W

This application No. 2218-3 will be considered by the Water Rights Commission at its office at Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Wilbur Slaba, Wagner, S.D. 57380

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Charles Mix) ss.

I, John F. Engländer hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Wagner Post, Wagner, S.D.

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

Wagner Post of Wagner

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

March 6, 1975

March 13, 1975

John F. Engländer
(Signature)

Publisher
(Title)

3-13-75
(Date Signed)

● Public Notice

NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
February 28, 1975

Notice is hereby given that
Wilbur, Eugene and Katherine
Slaba whose post office address
is Wagner, South Dakota, have
made an application in accordance
with the provisions of the
water laws of South Dakota for
a permit to appropriate for
beneficial use 2.5 cubic feet of
water per second of time from
ground water (60' deep well)
through the Slaba Brothers Irrigation
Project, the point of
diversion of which is to be located
in the Center of the NE-
1/4 of Section 3, Twp. 96N,
Range 63W. Said water to be
used for the purpose of providing
irrigation on portions of
the following described land:
N 1/2, Section 8, T96N, R-
63W.

This application No. 2218-3
will be considered by the Water
Rights Commission at its office
at Pierre upon the 19th day of
March, 1975, at 2:30 p.m. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
Pub.: Mar. 6-13, 1975

Report on Effects of Ground Water Irrigation
Charles Mix & Douglas County Area

The water problem in the Wagner, Ravinia, Lake Andes and Armour areas has been of very grave concern to the residents of these areas since the beginning of well irrigation which began about twelve years ago.

When the first irrigation well was pumped it did not cause too much concern. Everyone noticed a lowering of the water table but managed to get by without any or very little expense. As soon as more wells were drilled the water level dropped drastically. Every farmer in the community was forced to add more pipe in their wells to reach water. This caused an expense of from fifty to a hundred dollars for practically every well in the community. Some farmers drilled new wells thinking that the old well was no good. The flowing wells in the Choteau Creek area all stopped flowing. Some of these wells were ruined due to plugging by the fine sand underlying this area. If they had not stopped flowing which was due to well irrigation, they would still be flowing.

I had a flowing well in my pasture which was ruined by the lowering of the water level underground, and I was forced to drill a new well last spring. Many other new wells have been drilled for the same reason.

According to my own observations, taken from my old well and also new well, I find that we have had a lowering of the water level of about twenty feet since the beginning of well irrigation in this area.

In 1961 The University of So. Dak. compiled a report of "Shallow ground water resources in the Wagner area, Charles Mix and Douglas counties, So. Dak." This was called "Report of Investigations No. 90". I quote from page 15, 3rd paragraph "No records of water level fluctuations before irrigation are available in the Wagner area, so a comparison of fluctuations before and after irrigation pumping cannot be made." On page No. 1 under "Abstract" 3rd paragraph I quote "The third and lowest glacial out-wash deposit averages 50 feet thick through 90 per cent of the area, and supplies nearly all the wells".

Under "Conclusions and Recommendations" Page 29 the writer makes six recommendations I will quote No. 1 "According to the U.S. Dept. of Agriculture standards for irrigation waters, the water from the lower-buried outwash should not be used for irrigation because of its poor chemical quality."

The Choteau Creek bottom land which is up to one-half mile wide is mostly used for pasture and hay ground. The farmers who use this land have noticed that their hay crop has been cut in half on the average year and their pastures no longer handle the number of cattle they used to. This bottom land amounts to several thousand acres. The only thing we can blame this to is the depletion of our water level due to well irrigation.

In summing up our local problems I would say that we have an aquifer 50 feet thick. It is being depleted faster than it is being recharged. Minerals are appearing in our water that we didn't have before well irrigation and many have been forced to put in water softeners for domestic use. Those who had flowing wells are now forced to buy pumps to get water for livestock and home use. Many have had to haul water. Some irrigators will say that our wells and pumps are antiquated. Should every farmer in this area be forced to spend two or three thousand dollars so that the ten or so farmers that are irrigating can continue depleting our water supply? I so not believe that any community should pay so much for the benefit of so few.

In the past, I have never advocated the complete curtailment of irrigation in this community because I felt that the men who were willing to risk their capital in pioneering a project were entitled to some consideration but it seems that as time goes by there are more irrigation wells appearing on the scene. I do now recommend the complete curtailment of irrigation in the Wagner, Ravinia, Lake Andes and Armour areas. I also, recommend that our legislature pass stronger laws to protect our domestic water users. What happens when the aquifer is dry? The old saying "You never miss the water till the well runs dry" is very true and I for one can vouch for it.

Respectfully submitted,

Vincent D. Kaberna

Vincent D. Kaberna

State of South Dakota
County of Charles Mix

Sworn to before me, G. S. Smith,
a Notary Public, this 10th day
of March 1975.

G. S. Smith
G. S. SMITH, NOTARY PUBLIC
Notary Public, State of South Dakota

Winnipeg, S. Dak.
March 18, 1975

To Whom It May Concern

I have information that there are a number of applications for irrigation wells, if we get too many wells in our area is there enough water to supply livestock raisers and farm home consumption?

Do you consider this fair for livestock raisers and farm home users that we should buy our water after our underground water supply is gone?

There should be a big consideration on those that have applied for irrigation wells, after all when they draw the pressure down it costs more to pump our water.

Sincerely

Joseph H. Harting, Jr.
Joseph H. Harting, Sr.

March 18, 1975
Wagner S. D.

Water Rights Commission
Pierre S. D.

In regards to the irrigation rights and permits applied for, before this Committee March 17, 1975. I am concerned and in doubt if any more irrigation permits should be issued in our area.

A few years ago I myself was in Pierre at a meeting which concerned people for and against irrigation wells, at that time no permits were issued so to the fact, that further study on this matter, taken into consideration was, is there enough water for every farmer to irrigate? would every farmer be issued a permit if applied for? the answer we got was no.

Further studies of water supplies and the effect on domestic wells during irrigation season and other effects, to my knowledge if these studies were made no reports were made available to us.

I am not against any one person irrigating but unless it is a proven fact that there is enough permits and water available for each

and every former these permits and wells
now pumping water steadily for irrigation, should
be metered and fallowage restrictions be put
on every well used for irrigation purposes only
one more point that concerns me is this.

I realize more and more farmers are going
for irrigation especially in extreme dry areas
and I would think that it would be better
for more farmers to water less area than a
few watering large acreages. Shouldn't a limited
amount of acre for everyone be better, such
as "160 or 200 acres per farm, and control
each well" .. As I understand one permit calls
for 500 acres and another for 300 or more. I
think this is to much on extreme especially if
studies and tests show there is not enough water
for everyone to irrigate this large of an acreage.

I live in Sec 21 of Bryan Township, have
two domestic wells one is 135 ft deep one 180 ft
deep and in the summer months when the
existing irrigation wells north of me are pumping
I can notice some effect on my wells.. whether it
is from water pressure down or water table down
I do not know.

Thank you
Mable Stillion

STATE OF SOUTH DAKOTA }
COUNTY OF CHARLES MIX } S.S.

On this the 18th day of March, 1975, before me, Glenda M. Hall, the undersigned officer, personally appeared Marlo Stillion, known to me or satisfactorily proven to be the person whose name is subscribed to the within and attached instrument and acknowledged that he executed the same for the purposes therein contained.

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

Glenda M. Hall
Notary Public, Charles Mix
County, South Dakota

My commission expires Jan. 30, 1983.

RECEIVED

MAR 12 1975

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Wagner, So. Dak.
March 10, 1975

Water Rights Commission
Pierre, So. Dak. 57501

Dear Sirs;

I see by our local paper The Wagner Post that Eugene, Wilbur and Katherine Slaba have applied for a well to irrigate the N $\frac{1}{2}$ of Section 8 Twp. 96N R-63W, application No. 2218-3. This, according to the notice is to be considered on March 19, 1975 at 2:30 P.M.

As I will be getting ready to meet with a Bonding Firm and Engineers for the Lake Andes, Wagner Irrigation District, I will be unable to attend the meeting but do wish to make some comments.

First of all, there are only two sections between my farm and the Section where they wish to drill the well. My well that I use for domestic purposes is still pumping some air due to last summers drastic drawdown of the water level in our aquifer from excessive irrigation.

I notice that the irrigation well would be 80 feet deep, on the Choteau Creek bottom. This would put it in the same aquifer as my domestic well as I have a well on the Choteau Creek bottom that is 90 feet deep. My well on the bottom-land and the one that I have near my home are both on the same vein or aquifer. I do not believe that their proposed irrigation well would be on any other vein or aquifer. I am very much against any more irrigation well permits as problems of the past, due to irrigation, still have not been corrected.

The Slaba family are very good friends and neighbors of mine and I would like to see them as well as the rest of us be able to irrigate their ground but they as well as myself have fought against any more well irrigation. I hope that your Commission will give this very much consideration before issuing this permit. We are not only being faced with a shortage of water but also quality of water is becoming a problem due to underground percolation from irrigation. I am including a report which I compiled several years ago.

I know the water level is lower today in our aquifer than it was at that time. You have my permission to read this letter at the meeting March 19, 1975.

State of South Dakota

County of Charles Mix

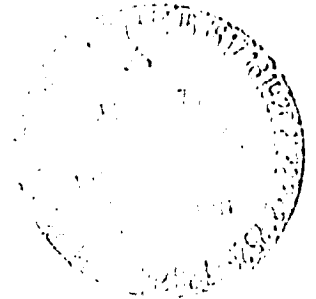
Sworn to before me, G. A. Smith
at Notary Public, this 10th day
of March 1975.

Sincerely yours,

Vincent D. Kaberna
Vincent D. Kaberna

G. A. Smith
G. A. Smith, Notary Public
Notary Public, Charles Mix County

22/8-7



February 11, 1975

Ms. Katherine Slaba
Wagner, SD 57390

Dear Ms. Slaba:

We have now received the WI-1 form relating to your application for irrigation in 100% Sec 8 T96R R630.

I am returning herewith the original copy of the water analysis which is yours to keep and my earlier letter to you, as well as a copy of Extension Circular 654. The approximate quality for irrigation purposes of the water sample you submitted is indicated by the enclosed red cross on the outside back cover. You will note that it falls near the outer extreme of "High Salinity - Medium Sodium" water. This means that it has both a hazard for salinity or total salt accumulation in the root zone of plants and somewhat of a hazard for the dispersion of soil clays. Such dispersion results in difficult tillage operations, cloddiness, poor structure, lack of easy emergence by germinating plants and poor root exploitation of the soil. We certainly hope that such will not happen but you should be fully aware that there is a danger of this with your soil. We have waters very similar to this in several parts of the state which have caused fairly severe dispersion problems within ten years of the beginning of their use.

I recommend that if you develop this water source for irrigation you apply it infrequently and in rather large amounts. In other words something like 2 1/2-3 inches at a time would be a minimum application. Such application slows down the tendency for salt and sodium accumulation in the root zone. An infrequent large amount is much better for the soil than frequent small amounts, such as an inch or 1 1/2 inches. There are several reasons for this, but I will mention only one. That is that when you have the soil rooting zone fully filled with water there are greater chances for natural rainfall which might occur after or between irrigations and displacing the salt and sodium downward. This is, of course, depending upon chance and it is possible to be sure certain of this taking place by late fall irrigations which fill the soil profile with water and then getting some displacement of salt and sodium downward by the natural precipitation which we experience most fall, winter and spring periods when evaporation is much less than our precipitation.

Cont. . . /2.

Ms. Katherine Slaba

February 11, 1975

Page 2.

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

Sincerely yours,

L. O. Finn
Water Quality Lab

LOP:MRB

Enclosures

CC: /State Conservation Commission
Arnold Rieckman, Charles Mix County Agent
Darrel Pahl

September 13, 1979

Wilbur Slaba
Wagner, SD 57380

Dear Mr. Slaba:

Regarding your application for the 235 foot well in the NW $\frac{1}{4}$, Section 8, T96N, R63W, we have the water/soil compatibility approval for the NW $\frac{1}{4}$ but not for the 60 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 8. In checking with the Conservation Commission, you can fill out the enclosed WI-1 form, from their office, with the number of the analysis (#75-053) and return the completed form and the soils information for the N $\frac{1}{2}$ SW $\frac{1}{4}$, to Wynn Sudreigte, State Conservation Commission, Anderson Building, Pierre, SD 57501. The Conservation Staff will then bring it before their Commission for consideration at their next meeting.

Upon receipt of the approval from the Conservation Commission, further processing of your application will proceed.

Mr. Mernaugh of this office, stated you had a copy of the Log on the test well that was drilled, we will need this also. Your receipt No. 4 7039 in the amount of \$150.00 is on file with your application.

If you have any questions, feel free to contact our office.

Sincerely,

BETTY WESTLUND
Water Rights Specialist I

BW/gy

Encl WI-1 form

2218-3 Motor Pump Station

7-25-79 Well 82 ft deep Station 10 ft

Pumping 900 gpm, Capacity 1000
W. Valley Co. Ser. Model 4271

Ser # 14055 Cover 105 ft.

W. Valley Co. Ser. Model 4171

Ser # 17565

Well 15' E of CP

Motor US Elec, 75 HP, 1760 RPM

IP # R-XA718-00-663 R 8092452

Pumping 1500 gpm

Pump Hydro Turbine

Type 12 CH, Ser # 12579

RECEIPT

Division of Water Rights

No 4 9716

South Dakota Department of Water and Natural Resources

Pierre, _____ July 23, 1914

RECEIVED OF Wilbur J. Slabe, RR#1, Box 163, Waver, SD 57380

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2218-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (ms)

NO. 2218-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: July 23, 1984

This is to notify you that the title to the lands described as follows:

N² section 8 T96N-R63W

formerly owned by Wilbur Eugene & Katherine Slaba
has been transferred to Wilbur Slaba RPH/ Box 163 Wagner SD
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 2218-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Div. of Water Rights, Water Management Board as
evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees
as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, Wilbur Slaba 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, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Wilbur Slaba
(Signed)

Subscribed and sworn to before me this 23 Day of July, 1984.

Kevin C. Larsen
(Notary Public)
Nat. Resources Eng.
Water Rights Division

Permit No. 2218-3
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by Wilber, Eugene, & Katherine Slaba of RR 1, Box 163, Wagner, SD 57380 holder of Permit No. 2218-3, bearing the priority of February 24, 1975 authorizing the diversion of 2.50 cu. ft. of water per second from groundwater for irrigation purposes, in Charles Mix County.

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

A. Works used to divert the water:

U.S. Electrical Motor
FR 365TPWI
75 HP

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

Western Land Roller Pump
MN 84081191
8.19" impeller

C. Works used to apply water to beneficial use:

Valley 6 tower center pivot
High pressure (70 PSI)
1,000 GPM

The system is in the following condition good. The point of diversion is located 264 feet W and 330 feet N from the center of the NE1/4 of Section 8 T96N-R63W. The works are capable of diverting and conveying to the place of use 2.22 cu. ft. of water per second which is to used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>T96N-R63W</u>	<u>Section 8</u>	<u>NW1/4 NE1/4</u>	<u>24 acres</u>
		<u>NE1/4 NE1/4</u>	<u>35 acres</u>
		<u>SW1/4 NE1/4</u>	<u>16 acres</u>
		<u>SE1/4 NE1/4</u>	<u>24 acres</u>
		<u>Total</u>	<u>99 Acres</u>

comprising a total of 99 acres of land and the license should be issued for 1.41 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: April 27, 1993


Barry A. McLaury
Natural Resources Analyst
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 2218-3

DATE: April 27, 1993

Other permit(s) associated with the project: 4526-3

DIVERSION POINT LEGAL LOCATION: 264 feet E and 330 feet N from the center of the NE1/4 of Section 8 T96N-R63W (NE1/4 NE1/4).

WELL INFORMATION:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 80 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 60 feet
- 3) Type PVC

SYSTEM TYPE:

Center pivot:

- 1) Make Valley
- 2) Overall length 1,155 feet
- 3) Number of towers 6
- 4) Distance between towers 260 feet
- 5) End gun Y
- 6) High or low pressure High (70 PSI)
- 7) Capacity 1,000 GPM

Screen:

- 1) Type stainless steel
- 2) Length 20 feet
- 3) Static water level 18 feet

Pump:

- 1) Make Western Land Roller
- 2) Model 84081191
- 3) Size 8.19" impeller
- 4) Capacity 1,000 GPM

Motor:

- 1) Make U.S. Electrical
- 2) Frame No. 365 TPWI
- 3) Horsepower rating 75 hp

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y



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

September 8, 1994

2218-3

Wilber Slaba
RR 1, Box 163
Wagner, SD 57380

Dear Mr. Slaba:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2218-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

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

Sincerely,

A handwritten signature in cursive script, reading 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414285

Pierre, September 28, 1994

RECEIVED OF Lelela Slaba, RR 1 Box 165, Wager SD 57580

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2218-5</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2218-3 FOR IRRIGATION

(1) Wilber, Eugene and Katherine Slaba of RR 1, Box 163, Wagner SD 57380 made Application No. 2218-2, February 24, 1975 for a water permit to appropriate 2.5 cubic feet of water per second from groundwater (one well), Charles Mix County, South Dakota for irrigation purposes. Permit No. 2218-3, with a priority date of February 24, 1975 was approved March 19, 1975 and issued to the applicant for diversion of water with construction of the described water supply system completed on or before March 19, 1977 and the application to beneficial use of said water completed on or before March 18, 1981.

On July 23, 1984, Water Permit No. 2218-3 was transferred to Wilber Slaba.

(2) It is certified that the applicant 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 1.41 cubic feet of water per second for beneficial use. The location of the diversion point is 264 feet W and 330 feet N from the center of the NE 1/4 of Section 8-T96N-R63W (NE 1/4 NE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 8-T96N-R63W	NW 1/4 NE 1/4	24 acres
	NE 1/4 NE 1/4	35 acres
	SW 1/4 NE 1/4	16 acres
	SE 1/4 NE 1/4	24 acres
	Total	99 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wilber Slaba of RR 1, Box 163, Wagner SD 57380 the holder and/or owner of Water Permit No. 2218-3 is issued a license to appropriate water, the right to use 1.41 cubic feet of water per second from groundwater (one well) with a priority date of February 24, 1975 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2218-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 14 1994

2218-3

Wilber Slaba
RR 1, Box 163
Wagner, SD 57380

Dear Mr. Slaba:

Enclosed is Water License No. 2218-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414285 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2218-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

rd
enclosures

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

2218-3

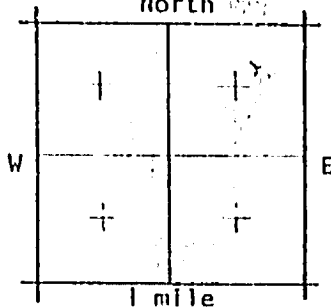
Location NE 1/4 Sec 4 Twp 12 N Rg 69

County

North

Charles Mix

Please mark well location with an "X"

Well Completion Date 7-25-84

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Forward Rotary

WELL CONSTRUCTION:

Diameter of hole 16 inches Depth 80 feetCasing: ☐ Steel ☒ Plastic ☐ OtherSpecify PVC
 Pipe Weight PVC lb/ft 16 inches 0 feet 100 feet
0 lb/ft 0 inches 0 feet 0 feet
Was a well screen used? ☐ Yes ☒ No

If Not Specify _____

Screen Type Stainless Steel Slot Size 1/20Length 20 ft Diameter 16 "Was Casing left open end? ☐ Yes ☒ NoWas a Packer or seal used? ☐ Yes ☒ No

If so what material? _____

Was well gravel packed? ☒ Yes ☐ NoWas well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe _____

 WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
 If so how and with what material? _____

Well Owner:

Name William SpakaAddress P.O. Box 103, Wagner, S.D.

Well Log:

Depth

Formation

From

To

<u>Top soil</u>	<u>0</u>	<u>10</u>
<u>yellow clay</u>	<u>10</u>	<u>25</u>
<u>blue clay</u>	<u>25</u>	<u>46</u>
<u>sand & gravel</u>	<u>46</u>	<u>56</u>
<u>gravel & blue clay</u>	<u>56</u>	<u>80</u>

STATIC WATER LEVEL 18" Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? Yes

WELL TEST DATA:

☒ Pumped☐ Bailed Describe: _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks: _____

This well was drilled under license # 440

and this report is true and accurate.

Drilling Firm William SpakaSigned by William SpakaDate 7-25-84



2218-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

NOTICE

RE: Violation of Water Permit No(s) 2218-3, 5811-3 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2218-3, 5811-3. The request for the Questionnaires was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on or before March 3, 1995, 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



2218-3

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

February 23, 1995

2218-3
5811-3

Wilbur J Slaba
RR #1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of Water Permits and the 1994 Irrigation Questionnaire Requirements.

The questionnaires were 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 Division
(605) 773-3352

2218-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 1995

2218-3
5811-3

Wilbur Slaba
RR #1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

Enclosed are two partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right Nos. 2218-3 and 5811-3. In our January 18th telephone conversation, Mrs. Slaba indicated the land described under these water rights will be sold on a contract for deed in March, 1996.

You have one of two choices concerning ownership of the water rights. One, you could leave the water rights in your name and list the new owner(s) as manager until after the contract is paid; or two, you could go ahead and have the water rights transferred in March when the contract for deed begins. Whoever owns the land actually has control of the water rights.

The enclosed forms should be signed by the new owner in the presence of a notary public. A \$2.50 filing fee is required for filing an ownership change. The fee (total of \$5.00) should be submitted with the completed transfer forms to our office.

If you or the new owner(s) have any questions concerning the water rights or completion of the transfer forms, please contact me.

Sincerely,

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

enclosures

2211-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 1996

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 5811-3, 2218-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5811-3, 2218-3. 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 be to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before 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 (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

4a. Article Number

7348 318 811

4b. Service Type

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

7. Date of Delivery

8-1-91

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

Wilbur Slaba

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



2218-3

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

February 7, 1996

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

2218-3
5811-3

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 5811-3, and Violation of the Requirement to Submit the 1995 Irrigation Questionnaire for Water Permit No. 2218-3.

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

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



January 9, 1998

NOTICE

2218-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 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 (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.



2218-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1998

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

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. 2218-3 and 5811-3.

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

2218-3



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: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before 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 (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.



2218-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 24, 1999

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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



2218-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, 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 Ginny McMath (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.

2218-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly)	B. Date of Delivery 1-15-00
		C. Signature <i>Wilbur J Slaba</i>	☐ Agent ☐ Addressee
1. Article Addressed to: WILBUR J SLABA RR 1 BOX 163 WAGNER SD 57380		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Number (Copy from service label)		4. Restricted Delivery? (Extra Fee) ☐ Yes	
		2 227 670 297	

PS Form 3811, July 1999

Domestic Return Receipt

102595-93-M-1789

2218-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 2000

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. On February 18th, I spoke with Mrs. Slaba concerning the questionnaires. She felt the forms were mailed in sometime ago, but indicated the land was not irrigated in 1999. I was unable to find the original forms, but filled out two new forms for you based on our phone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2218-3 and 5811-3. 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



2218-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3 and 2218-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No. 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No. 5811-3 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 7, 2001 in 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. 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on or before March 2, 2001, 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 (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2001

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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



January 16, 2002

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, 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 (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 THIS SECTION

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

1. Article Addressed to:

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1-17

C. Signature

X

Wilbur J Slaba

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☒ Yes

☐ No

If YES, enter delivery address below:

E. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

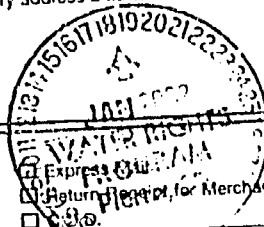
☐ Express Mail

☐ Return Receipt for Merchandise

☐ Signature Required

4. Restricted Delivery? (Extra Fee)

☐ Yes



2.

7001 2510 0004 4797 5620

PS Form 3811, July 1999

Domestic Return Receipt

102595-99 M-1789



2218-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 2002

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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, reading 'Genny McMath'.

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



3218-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, 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 (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.



2218-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 26, 2003

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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



January 14, 2004

2218-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 3, 2004 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 27, 2004, 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 (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.

2218-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2004

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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



2218-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: WILBUR J SLABA, 29277 394TH AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, 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 (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.



2218-3

Track & Confirm

Current Status

You entered 2301 0370 0000 7541 4920

Your item was delivered at 9:21 am on January 22, 2005 in WAGNER, SD 57380. The item was signed for by W SLABA.

[Shipment Details >](#)

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SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4920

WILBUR J SLABA
29277 394TH AVE
WAGNER SD 57380

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PS Form 153, February 2001



2218-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 2005

2218-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

Enclosed are copies of Water Right Nos. 2218-3 and 5811-3 listed in the name of Wilbur Slaba. It is my understanding that you own the land described in these water rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,


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

enclosures

2218-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2005

2218-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3 (the notice was originally directed to Wilbur Slaba).

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 28, 20 05

RECEIVED OF Eugene Slaba, 25251 353rd Ave., Wagner SD 57380-6951

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2218-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. _____

By

Darland E. Eick
Chief Engineer *gm*

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2218-3

Date: 2-24-2005

I/We request that Water Right No. 2218-3

formerly owned by: Wilber Slaba

be transferred to: (name & address) Eugene J & Barbara Slaba and Jason Slaba
29251 393rd Ave and Joseph Slaba
Wagner, SD 57380 Telephone No. 605-384-5381

Title to the following described land(s)/property has been transferred as described above:

99 acres - NE 1/4 Section 8, T96N, R63W

I/We understand that the validity of Water Right No. 2218-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Eugene J Slaba, the new owner, certify that the above information is true and correct.

Eugene J. Slaba
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED
FEB 28 2005
WATER RIGHTS
PROGRAM

2-24-2005

To whom it may concern.

The names will read:

Eugene J ^{And} Barbara Slaba

And

Jason Slaba

And

Joseph Slaba

Thank you

Barbara Slaba



2218-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2005

2218-3
3696-3
5811-3

Eugene J & Barbara J Slaba
Jason & Joseph Slaba
29251 393rd Ave
Wagner SD 57380

Dear Sirs:

Thank you for following up on the ownership change for Water Right Nos. 2218-3, 3696-3 and 5811-3. The transfers have been completed. The following changes were made with the water rights:

No. 2218-3 transferred from Wilber Slaba to "Eugene J & Barbara J Slaba and Jason & Joseph Slaba"

No. 5811-3 transferred from Wilber Slaba to "Eugene J & Barbara J Slaba and Jason & Joseph Slaba"; and

No. 3696-3 transferred from John Uecker to "Eugene J & Barbara J Slaba".

Enclosed are your Receipt Nos. 001774, 001780 & 001781 in the amounts of \$2.50 each. You may keep these for your records. If I can answer any questions for you, please contact me.

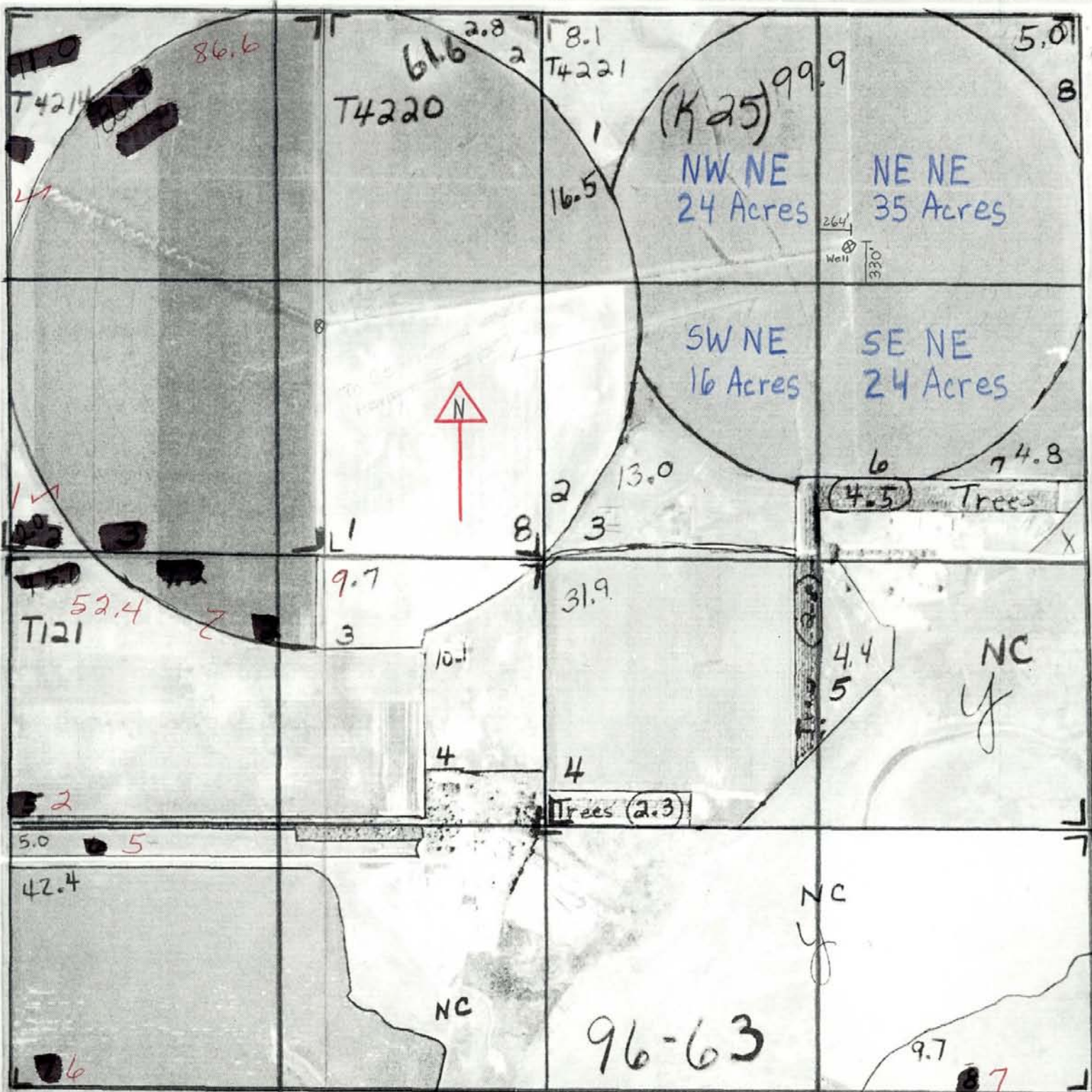
Sincerely,

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

enclosures

NOT TO SCALE

(103-R)



Barry McLaury *Barry McLaury*
 Natural Resources Analyst
 Division of Water Rights
 Date 5-25-93

75.4

2218-3



2218-3
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 21, 2011

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 9, 2011** 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

22183

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Search Results

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Service(s): Signature Confirmation™

Status: Delivered

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- Delivered, January 22, 2011, 9:24 am, WAGNER, SD 57380
- Arrival at Post Office, January 22, 2011, 7:44 am, WAGNER, SD 57380

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 1505

EUGENE & BARBARA SLABA
29251 393RD AVE
WAGNER SD 57380

Waiver of Signature ☐ YES ☐ NO

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PS Form 3800, July 2009

2218-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2011

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

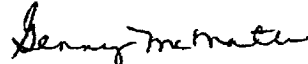
Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2010 irrigation questionnaires. I completed questionnaires for you based on my telephone conversation with Jason Slaba.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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



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 18, 2013

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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, 2013** 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:

<http://denr.sd.gov/iq.aspx>

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

2218-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



2218-3
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 16, 2015

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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 4, 2015** 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 27, 2015

2218-3
2696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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
email: genny.mcmath@state.sd.us



**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 20, 2017

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



2218-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 27, 2017

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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
email: genny.mcmath@state.sd.us



2218-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

2218-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2018

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



2218-3

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 25, 2019

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

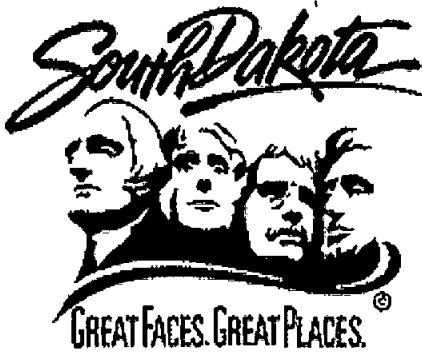
The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



2218-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 31, 2019

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



2218-3
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, 2020

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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://denr.sd.gov/iq> using this password: GEKRXM**

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2020

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 2281-3, 3696-3 and 5811-3. 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 black ink, appearing to read 'Genny McMath', is written over a horizontal line.

Genny McMath
Water Rights Program
(605) 773-3352
email: 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

January 20, 2022

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office 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 questionnaires 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: NUZUGC**

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

January 24, 2022

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires. They were received the same day we mailed out the Notice scheduling a hearing.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have 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

January 20, 2023

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: VQVYCK**

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

February 2, 2023

2218-3
3696-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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

January 14, 2025

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 & 3696-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5811-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: TXWHXC**

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

January 24, 2025

2218-3, 3696-3, 5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2218-3, 3696-3 & 5811-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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