

CP Electric Pump
Water G.E. 60 HP. 7535 RPM

Model 5 K326 JN 1300 H.

Pump: Cornell, Model 6140 60 -
In. # E 1857 7 $\frac{1}{32}$

CP = Electrogon

Model 2-6E5^C Ser # 3752419 AR

Water Right Number 2227-3

1. Considered MAY 21, 1975
2. Name of Applicant LYLE W. COLEMAN
3. Post Office Address SPRINGFIELD
4. Amount of Water claimed 5.97
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 418.15
7. Water to be diverted and used in BON HOMME County
about 2N 3E miles 0.5 of SPRINGFIELD
8. Proof of Publication
Received 4-17-75
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application
10. Remarks:

No. 2227-BMap No. 1180-3Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Lyle W. Coleman
 Post-office address Springfield, State South Dakota 57062
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
hillview #1
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 5.97
Missouri River
5. Source of water supply _____
6. Location of point of diversion 4100 feet South 36° 30' West of the NE Corner,
Section 17, T93N, R59W
- County Bon Homme
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
418.15
9. For irrigation use, Total number of acres to be irrigated _____

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>54 Sec. 8</u>	<u>205.00</u>		
<u>N4 Sec. 17</u>	<u>213.15</u>		
<u>All in T93N, R59W</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 Tribune & Register, Tyndall, SD
12. Principal Features of the Proposed Water Supply System.

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

Pump and Motors

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

Mainline

C. Works proposed to apply water to beneficial use.

Sprinkler and/or gravity

Estimated Total Cost \$ _____

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 Bon HommeI, Lyle W. Coleman, 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 Lyle W. ColemanSubscribed and sworn to before me this 7th day of March, 1975.Robert D. Coleman
Notary Public (or other qualified officer)

AREA 1 205.0 ACRES
otto Isaak

R 59 W

8	9
17	16

T 93 N

LOCATION OF LAND TO BE IRRIGATED
HILL VIEW IRRIGATION CORPORATION

AREA	LOCATION	T.S.	R.	ACRES
1	S 1/2 8	93	59	205.0
2	N 1/2 17	93	59	213.15

AREA 2 213.15 ACRES
Bernice Flamming Roy Coleman

S 36° 30' W
4100'



Scale: 1" = 400'

MAIN

DIVERSION

LEWIS & CLARK LAKE
Ext. 1208'

Surveyor's Certificate

I, Walter D. Lemke, do hereby certify that this map identifies a reasonably accurate record of the land of:

Hill View Irrigation Corporation - Roy Coleman Irrigation Proj.

By Walter D. Lemke registered professional engineer, State of SD

Subscribed & sworn to before me
this 17th day of April 1968 at

Spencer, South Dakota
Notary Public

HILL VIEW IRRIGATION CORPORATION
c/o ROY COLEMAN Box 556
SPRINGFIELD SD, DAK.

By commission expires 10/9/75

CARD BY —
OWN BY — PAUL WHEELER

2227-3

MAP NO. 1586-3 APPL. NO. 1586-3

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2227-3
LYLE W. COLEMAN SPRINGFIELD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57062 With the following modifications:
 (State)

Date of first receipt of application MARCH 10 19 75
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved MAY 22 19 75, Recorded in Book 13 Page 276

WATER RIGHT PERMIT NO. 2227-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2227-3 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 MARCH 10 19 75.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22 19 77.
3. The whole of said work is to be completed on or before MAY 22 19 80.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 84.
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 5.97 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 MAY 22 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER.

Witness my hand this 27TH day of MAY 19 75

WATER RIGHTS COMMISSION

By:

Vern W Butler
 Acting Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 26 19 80

Water License Issued FEBRUARY 26 19 80

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2227-3

(1) WHEREAS, On the 10th day of March A. D. 19 75
Lyle H. Coleman

made Water Right Application No. 2227-3 for a permit to use 5.97 cubic feet per second of the waters
of the Missouri River
County of Bon Homme State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 22nd day of May A. D. 19 75
Permit No. 2227-3, with a date of priority of March 10, 1975
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 22nd day of May A. D. 19 80 and for the
application to beneficial use of said water on or before the 22nd day of May A. D. 19 84

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet
per second of water for beneficial use and,

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

to irrigate the following lands all in Section 17, T93N, R59W

	Acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	10
SE $\frac{1}{4}$ NW $\frac{1}{4}$	10
NW $\frac{1}{4}$ NE $\frac{1}{4}$	31
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34
SE $\frac{1}{4}$ NE $\frac{1}{4}$	5
TOTAL	90 ACRES

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Lyle W. Coleman

_____ of Springfield
the holder _____ and owner _____ of said permit No. 2227-3 a water right, dating from March 10, 1975
_____ to use of 1.11 cubic feet per second of the waters
of the Missouri River
in the County of Bon Homme and State of South Dakota, or so much thereof as may be necessary for the
purpose hereinbelow mentioned, to be diverted at a point 650 feet south and 150 feet east
of the center of Section 17, R93N, R59W

and conduct ^{ed} to and upon portions of land in Section 17, T93N, R59W, more fully described
on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2227-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of February A. D.
Nineteen Hundred and Eighty

Board of Water Management
By: John Hatch
Chief Engineer, JOHN HATCH

Permit No. 2227-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Lyle W. Coleman

Permit No. 2227-2, issued upon Application No. 2227-3, bearing date of priority of March 10,
1975 authorizing the diversion of 5.97 cu. ft. per second of the waters of the
Missouri River County of Bon Homme, State of South Dakota at
a point 650 feet south and 150 feet east of the center of Section 17,
T93N, R59W
for irrigation

purposes, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.11 cu. ft. per second of water.

Date February 26, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WMD

No. 2227-3Publish first publication, on or before May 8, 1975NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 1975Notice is hereby given that Lyle W. Colemanwhose post office address is Springfield, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use5.97 cubic feet of water per second of time from the Missouri River through the Hillview #1, the point of diversion of which is to be located in the _____N½ SE¼of Section 17, Twp. 93N, Range 59W. Said water to be used for the purpose of providing irrigation portions of the following described land:S½, Section 8 and N½, Section 17, T93N, R59WThis application No. 2227-3 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 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: Lyle W. Coleman, Springfield, S.D. 57062

No. 2227-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Bon Homme) ss.
I, Wayne L. Bechtel

Wayne L. Bechtel hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

was taken from the Tyndall Tribune & Register

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

City of Tyndall

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

April 10 & 17, 1975

Wayne L. Bechtel
(Signature)

Publisher
(Title)

4-17-75
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, S. Dak. 57501

April 1, 1975

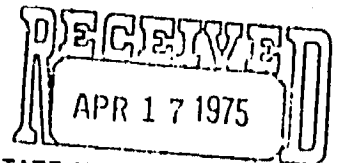
Notice is hereby given that
Lyle W. Coleman whose post
office address is Springfield, S.
Dak., has made an application in
accordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 5.97 cubic feet of
water per second of time from the
Missouri River through the
Hillview No. 1, the point of
diversion of which is to be located
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17,
Twp. 93N, Range 59W. Said water
to be used for the purpose of
providing irrigation on portions
of the following described land:
S $\frac{1}{2}$, Section 8 and N $\frac{1}{2}$, Section 17
T93N, R59W.

This application No. 2227-3 will
be considered by the Water Right
Commission at its office at Pierre
upon the 21st day of May, 1975, at
2:30 p.m. All interested persons
may appear and be heard.

WATER RIGHTS COMMISSION

BURTON F. JONES

Water Rights Specialist
(April 10 and 17)



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA



2227-3 Lyle Coleman
RECEIVED
DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

OCT 1 1975

DEPT. OF ARMY
RESOURCE DEVELOPMENT

MROOP-N
SD 2SB OXT 3 000063
Lyle W. Coleman
Fill and Intake Structure
Missouri River Mile 829.72L (1960 Mileage)

25 September 1975

NOTICE OF PERMIT PENDING

The application of Lyle W. Coleman, Springfield, South Dakota 57062, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to construct an intake structure for the purpose of withdrawing water at a rate of 400 gallons per minute to provide irrigation for approximately 418 acres. The work will consist of constructing an earthen fill 50 feet in length by 12 feet in width utilizing approximately 150 cubic yards of material and placing approximately 20 cubic yards of riprap bank protection. The purpose of the fill is to provide an adequate base on which to set the intake structure. The fuel tank for the diesel engine will be located on the fill and a spill containment dike will be constructed around the tank.

The State of South Dakota has waived its right to certify compliance with applicable water quality standards required under the provisions of Section 401 of the Federal Water Pollution Control Act and Amendments of 1972. Accordingly, certification that the proposed project will not violate applicable water quality standards has been requested from the Regional Administrator, Environmental Protection Agency, Region VIII, Denver, Colorado.

An environmental assessment of the proposed activity has been made and is on file in this office. The assessment indicates that no significant adverse impacts on the human environment will occur. Based on this finding, a preliminary determination has been made that an environmental impact statement will not be required.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be



relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and in general the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Federal Water Pollution Control Act. No permit will be granted unless its issuance is found to be in the public interest.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, the National Register of Historic Places and monthly supplements thereto have been consulted and no properties included therein will be affected by this activity. However, presently unknown archeological, scientific, prehistoric, or historic data may be lost or destroyed by work to be accomplished under the requested permit.

Any person who has an interest which may be adversely affected by the issuance of a permit for the work described herein may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this public notice and must clearly set forth the interest which may be adversely affected and the manner in which the proposed activity will adversely affect that interest.

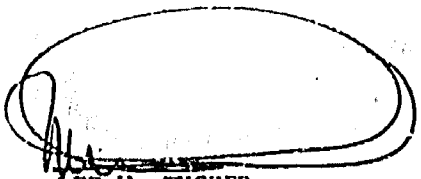
Any interested party (particularly officials of any town, city, county, state, federal agency, or local association) is invited to submit to this office written facts, arguments, or objections on or before 27 October 1975.

A permit, if granted, will be under Section 10 of the River and Harbor Act of March 3, 1899 (30 Stat 1151; 33 USC 403) and under the provisions of Section 404 of the Federal Water Pollution Control Act Amendments of 1972.

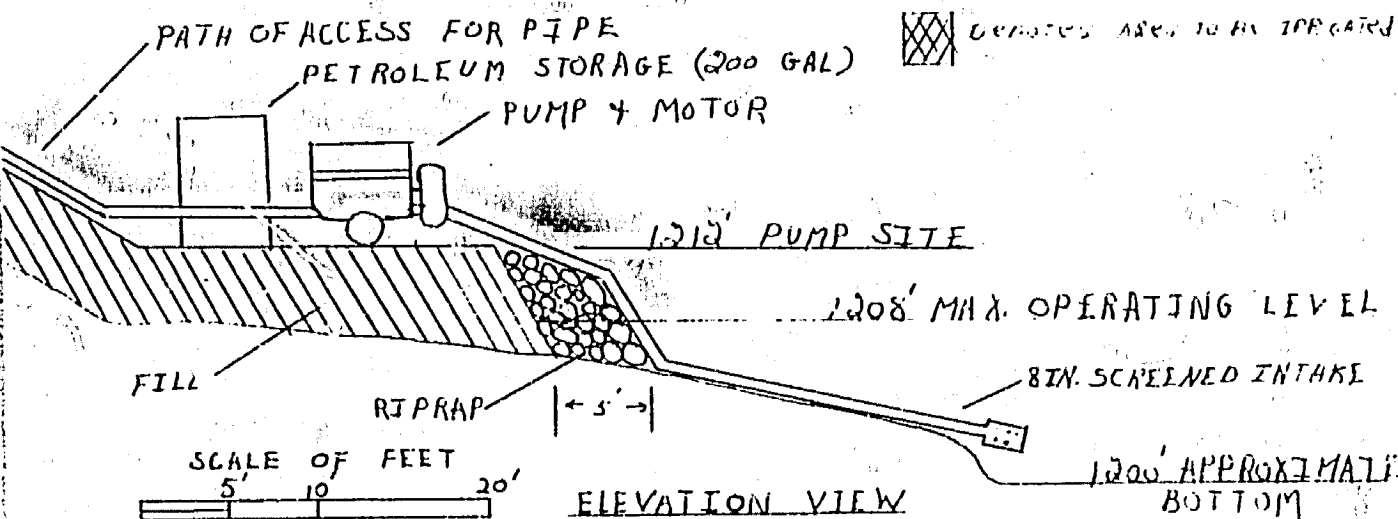
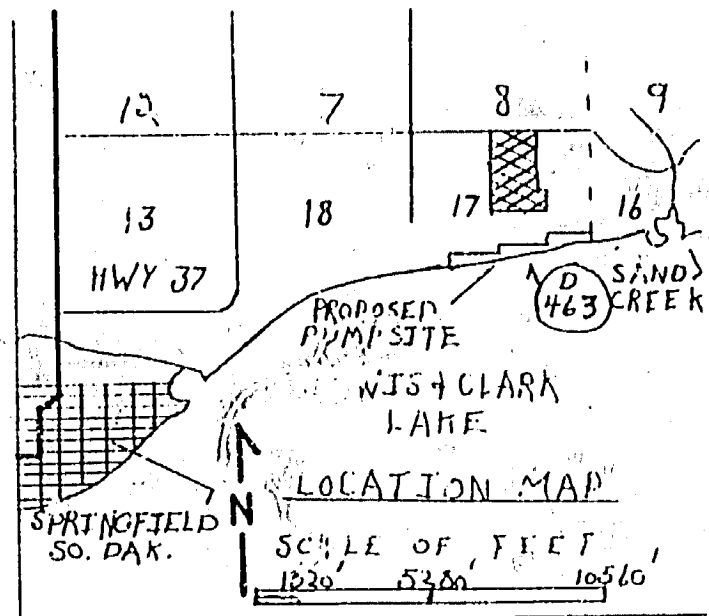
Drawings showing the location and extent of the work are attached to this notice.

FOR THE DISTRICT ENGINEER:

2 Attachments
As stated



LEE W. TUCKER
LTC, Corps of Engineers
Deputy District Engineer



PURPOSE: CONSTRUCT PUMP SITE FOR IRRIGATION
 DATUM: MEAN SEA LEVEL
 INTAKE TYPE: STEEL
 INTAKE DIAMETER: 8 INCH, SCREENED WITH 1/4 INCH MESH
 INTAKE LENGTH: 30 FEET
 INTAKE VELOCITY: .45 FEET PER SECOND
 PETROLEUM STORAGE CAPACITY: 200 GALLONS
 FILL WATERWARD OF 1208'; 12 FEET
 RIPRAP BEYOND FILL: 5 FT.
 PIPELINE WILL BE INSTALLED ABOVE GROUND
 RIVERBANK IS NOT PRESENTLY RIPRAPPED
 DISTURBED AREA WILL BE RESEEDED UPON COMPLETION OF PROJECT

7771-3 Lyb W. Coleman

9-10-11 Pumping 500 gpm

Barber Pump

Hard 6 cyl. 1000000

ser # 48607 E-17-HA 725 CID

Model 70501-6007-0 OPT-7A

Pump, Model B3083M CID

ser # 7576933 Impeller 13 1/2

Pump at R.R.

Pumps & Engines some Model

Engines & Pumps Barber Pumps

Wingman Truck 3248- 3-11-16

with 60 in. Flywheel

Model P-700 Flywheel # 609007

with 60 in. Flywheel

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7279

PIERRE, January 31, 19

RECEIVED OF Lyle W Coleman, Springfield, SD 57062

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 2227-3		12.00
Fee for inspecting Beneficial Use, and issuing Water License No. 2227-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL		12.00

WATER RIGHTS COMMISSION

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

Permit No. 2-227-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Lyle W. Coleman of Spry field, South Dakota. 57062 holder _____ of Permit No. 2-227-3, bearing date of priority of March 10, 1975 authorizing the diversion of 5.97 cu. ft. per second of the waters of Missouri River for Irrigation purposes, in Bon Homme County.

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

The Water Use System consists of,

- A. Works used to divert the water:
Pump at River, Engine Ford 6 cyl. Industrial, Propane.
~~500 # 1-1/2" dia. E-13 H.A. 300 CID, Model 300.91-6003-0~~
Pump Berkeley Model B35PBM CW. Imp. dia. 13 1/2.
Booster Pump and Engine identical to Pump at River.
pumping 500 gpm.
- B. Works used to transport water to place of use,
3200 ft 6" Aluminum Pipe
660 ft 4 1/2" Flexible Hose
- C. Works used to apply water to beneficial use.
Heinzman Traveling Gun #3340- Ser # 337016.
with Nelson P 200 gun with 1-4" Nozzle

The system is in the following condition: Good.The point of diversion is located 650 ft S and 150 ft E of the center of
Sec. 17, T93N R59W.The works are capable of diverting and conveying to the place of use 1.11cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 17, T93N R59W
NE 1/4 NW 1/4 - 10 Ac., SE 1/4 NW 1/4 - 10 Ac., N 1/2 NE 1/4 - 31 Ac.
S 1/2 NE 1/4 - 34 Ac., SE 1/4 NE 1/4 - 3 Ac.
comprising a total of 90 acres of land.

License for full use

Date September 2, 1979
L Roy J. Merrinck
 (Signature)

 **Department of
Water & Natural Resources**

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

February 17, 1989

Lyle W. Coleman
RR 1, Box 22B
Springfield, SD 57062

Dear Mr. Coleman:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

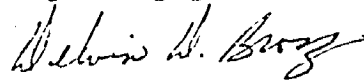


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



2227-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: LYLE W COLEMAN
RR 1 BOX 22B
SPRINGFIELD, SD 57062

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 2227-3

The first notice to file chemigation report(s) for Permit No(s) 2227-3 was dated January 11, 1993. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 2227-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 2227-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

3. Article Addressed to:

Lyle W Coleman
Rt #1 Box 22B
Springfield SD
57062

5. Signature (Addressee)

Lyle W. Coleman

6. Signature (Agent)

My d. Price

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
Consult postmaster for fee.

4a. Article Number

P 906 560 227

4b. Service Type

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

7. Date of Delivery

11/30/93

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

PS Form 3811, December 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



2227-3

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

February 11, 1993

Lyle W. Coleman
RR 1 Box 22B
Springfield, SD 57062

Dear Sir:

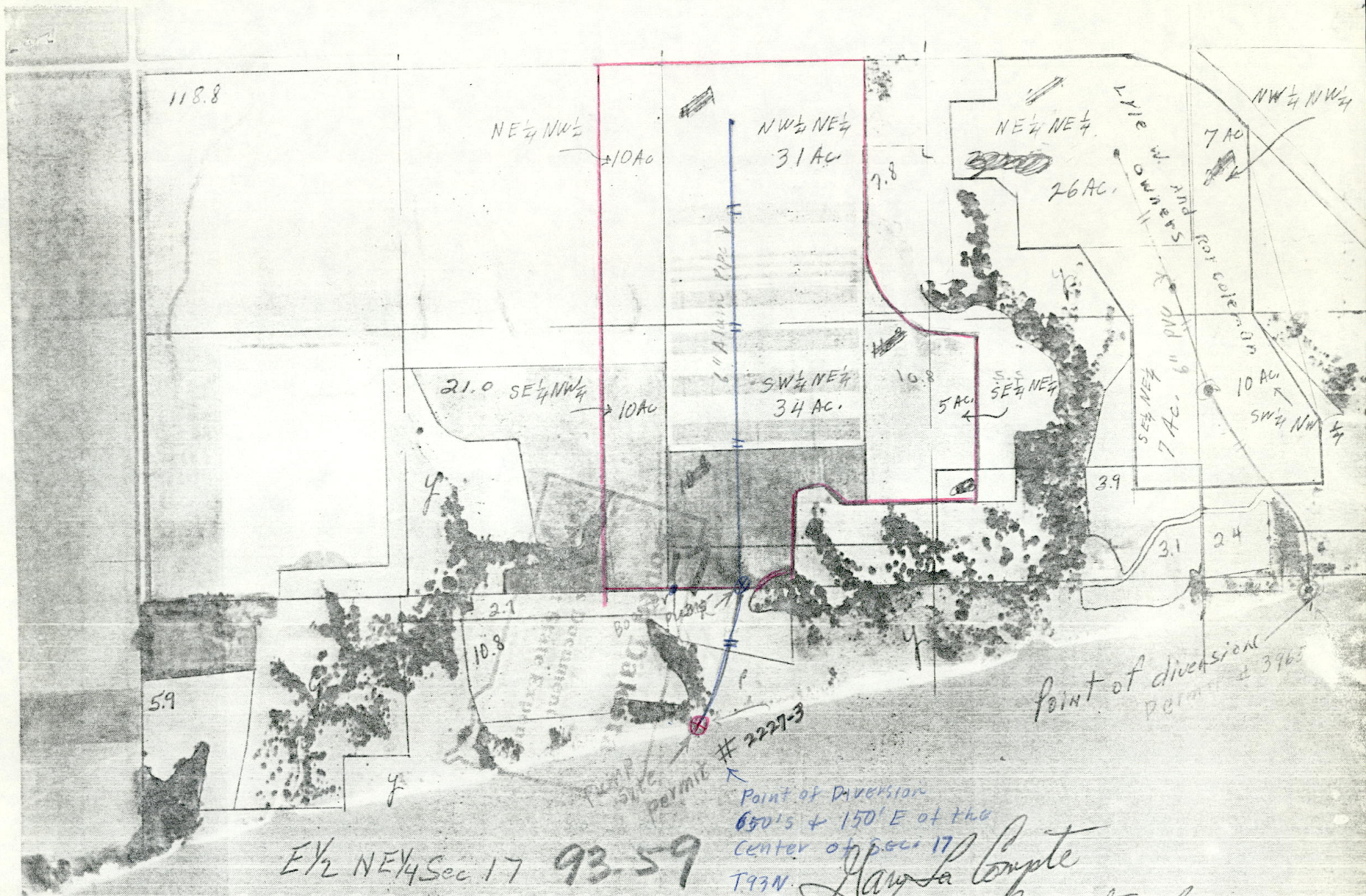
I am writing to acknowledge receipt of your phone call concerning the 1992 chemigation questionnaire. You may disregard the January 29, 1993 notice of "Failure To Submit Chemigation Questionnaire." I have filled out the questionnaire with the information you provided over the phone and your name is deleted from the Water Management Board agenda.

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

Sincerely,

A handwritten signature in cursive script that reads "Barry A. McLaury".

Barry A. McLaury
Natural Resources Analyst
Water Rights Division



E 1/2 NE 1/4 Sec 17 93-59
W 1/2 NW 1/4 Sec 16 93-59

Point of Diversion
650' S + 150' E of the
Center of Sec. 17
T93N
R59W
Law La Compte
District Conservationist

(Appl. - 2227-3)

MAP NO 3216-3 APPEN 3965-



2227-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 17, 2005

2227-3
3965-3

Lyle Coleman
41785 Apple Tree Rd
Springfield SD 57062

Dear Mr. Coleman:

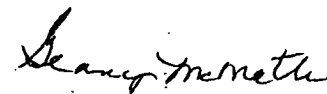
Ken Buhler with our program asked me to send you transfer forms and indicated you spoke with him concerning the possible sale of some of your land.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. If you sell your land, the new owner should complete and return the forms to us. A \$2.50 filing fee is required for each transfer filed. The check or money order for the fee can be made payable to the Water Rights Program.

In the event you need them, I am also enclosing copies of your water rights. If you sell only a portion of your land, you may edit the forms as needed or get in touch with us and we can send you alternate forms.

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

enclosures

**NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED**

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

NOV 21 2005
WATER RIGHTS
PROGRAM

No. 2227-3

Date: NOVEMBER 15, 2005

I/We request that Water Right No. 2227-3

formerly owned by: Lyle W Coleman

be transferred to: (name & address)

GREGORY A. ASSMUS
4638 N. TATTENHAM WAY

BONE, ID

Telephone No. 208-863-1742

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

90 acres in the E 1/2 NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 Section 17, T93N, R59W

I/We understand that the validity of Water Right No. 2227-3 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 GREGORY A. ASSMUS, the new owner, certify that the above information is true and correct.

GREGORY A. ASSMUS
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 21, 2005

RECEIVED OF Gregory Assmus, 4683 N Tatterham way, Boise ID 83713

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>2227-3</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.

002010

By

Darland Eide
Chief Engineer
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 2005

2227-3

Gregory A Assmus
4638 N Tattenham way
Boise ID 83713

Dear Mr. Assmus:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 2227-3. The transfer has been completed. The water right formerly held by Lyle W Coleman is now listed in your name.

Enclosed is a copy of the water right and also your Receipt No. 002010 in the amount of \$2.50. 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 28, 2015

2227-3

Gregory A Assmus
5898 N Dalspring Ave
Boise ID 83713-1317

Dear Mr. Assmus:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaire.

The notice was originally mailed to 4638 N Tattenham Way, Boise ID. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. 2227-3

August 20, 2020

Gregory Assmus
5898 N Dalspring Ave
Boise ID 83713-1317

Dear Mr. Assmus:

The irrigation season is in full swing. This has led to the Department of Environment and Natural Resources (DENR) fielding inquiries regarding end gun overspray on to roads.

DENR has received an inquiry alleging the irrigation system located in the NE 1/4 Section 17-T93N-R59W had irrigation water from the end gun hitting the road. This irrigation system is covered by Water Right No. 2227-3 with you listed as the owner.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at ron.duvall@state.sd.us.

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DENR
605 773-3352