

Wa : Right Number 2352-3

1. Considered NOV. 12, 19 75
2. Name of Applicant EARL RASMUSSEN
3. Post Office Address HURLEY, SD
4. Amount of water claimed 5.34
5. Source of water supply GROUND WATER (58' DEEP WELL)
6. Water to be used for: IRRIGATION
- Acres to be irrigated 520
7. Water to be diverted and used in TURNER County
about 3W, 1S Miles of DAVIS
8. Proof of Publication Received 10-22-75
Not received
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 2352-3Map No. 1732-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

8.55

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Emory Mark Rasmussen
 Postoffice address Shawnee, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Rasmussen Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 5.34
5. Source of water supply Well
6. Location of point of diversion Center NW 1/4 Sec 6 - 97-52

- County Turner
7. Annual period or periods during which water is to be used April - Oct
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 52.0

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.
NW 1/4 NW 1/4 6-97-52		NW 1/4 SE 1/4 6-97-52	
NE 1/4 NW 1/4 6-97-52		NE 1/4 SW 1/4 6-97-52	
SE 1/4 NW 1/4 6-97-52		SW 1/4 SW 1/4 6-97-52	
SW 1/4 NW 1/4 6-97-52		SE 1/4 SW 1/4 6-97-52	

Attach sheet if more space is needed

10. NW 1/4 NE 1/4 12-97-53 3 years. Additional time required to complete _____
- NE 1/4 NE 1/4 12-97-53 4 years.
- SE 1/4 NE 1/4 # 12-97-53
11. SW 1/4 NE 1/4 12-97-53 location Shawnee, South Dakota
- 12.

NW 1/4 NW 1/4 7-97-52

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

Pump + Pipe

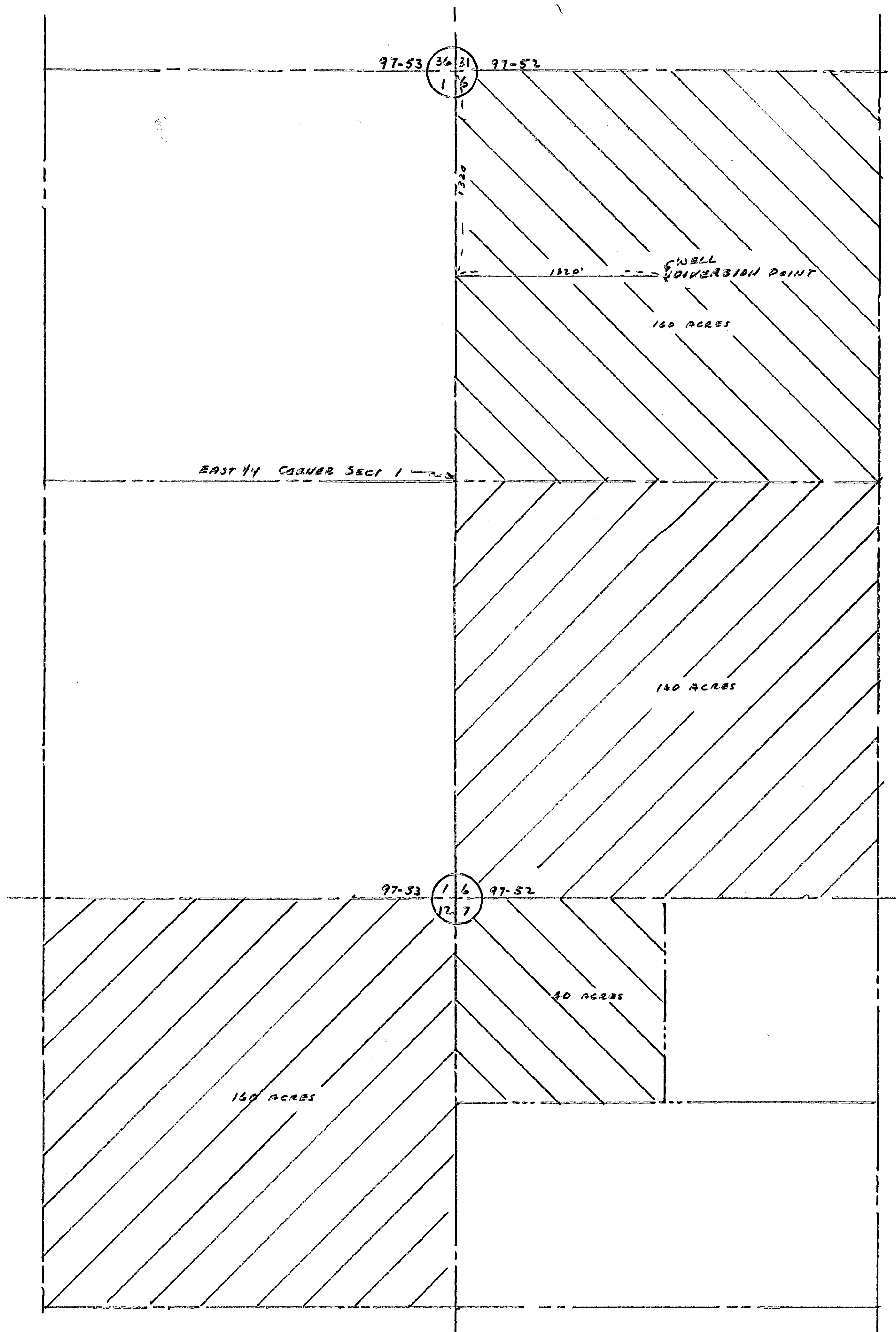
C. Works proposed to apply water to beneficial use.

Sprinkler Center PivotEstimated Total Cost \$ 85,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of TurnerI, Emory Mark Rasmussen 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 Emory Mark RasmussenSubscribed and sworn to before me this 7 day of April, 1975

Notary Public (or other qualified officer)



AREA BY LEGAL SUBDIVISION		
ACRES		
160	NW 1/4	SECT 6-97-52
160	SW 1/4	SECT 6-97-52
160	NE 1/4	SECT 12-97-53
40	NW 1/4, NW 1/4	SECT 7-97-52
520 ACRES TOTAL		

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF MINNEAPPA)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF MARK & EARL RASMUSSEN
SOLE OWNERS, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN THEIR OWNERSHIP BOUNDARIES ON AUG 8, 1975 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 8TH DAY OF AUG 1975

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

MARK & EARL RASMUSSEN IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WATER DIVERSION POINT
FOR PERMIT TO APPROPRIATE WATER

OWNER MARK & EARL RASMUSSEN
SURVEYOR HARLAN W. MEYER

AUG 1975

MAP NO 1732-3 (APPL NO 2352-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2352-3EARL & MARK RASMUSSEN

(Applicant)

HURLEY

(Post Office Address)

SOUTH DAKOTA 57036

(State)

With the following modifications:

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 AUGUST 25, 19 75
 Date of return to applicant for correction, amendments or changes required SEPTEMBER 18, 19 75
 Date of receipt of corrected application SEPTEMBER 23, 19 75
 Approved NOVEMBER 13, 19 75, Recorded in Book 14 Page 89

WATER RIGHT PERMIT NO. 2352-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2352-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 25, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 19 77
3. The whole of said work is to be completed on or before NOVEMBER 13, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 19 80
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 5.34 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 13, 19 80; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 17TH day of NOVEMBER, 19 75

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 1 7/8", Depth 5' 5"
- (2) Casing, Type Steel Diameter 1 1/4" Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson-Steel, Diameter 1 1/4", Length 20'
- (4) Gravel Pack. Thickness NATURAL PACK, Length of gravel pack _____

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 0-8' gravelly clay
8-63' sand & gravel water-bearing material

Depth to top of water bearing material 8'

Depth to bottom of water bearing material 63'

Thickness of water bearing material 55'

Depth to water (ground surface to water level) 9'

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

On same owner's property 250 rds. On property owned by others 60 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.

Mark R. Remmers
Signature of Applicant
Mark Remmers

September 3, 1975

Mr. Earl D. Rasmussen
Hurley, SD 57036

Dear Mr. Rasmussen:

You earlier received the original copy of the report of analysis for the water sample submitted here August 20. I am enclosing herewith a copy of extension circular 654 which denotes the approximate utilization of waters on soils and some of the effects which might result. On the outside back cover of this circular, there is a red cross which indicates the approximate quality of your water for irrigation purposes. You'll note that it is moderately high in total salt but low in sodium. Thus, I judge it to have no serious hazard being if it is used on the soils you indicate on the WI-1 form. If there is any evidence of salt accumulation or difficulty in getting plants to germinate, please get in touch with your extension agent or with someone in the Water Resources Institute for possible treatment measures.

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

Sincerely,

L. O. Fine

L. O. Fine
Water Quality Lab

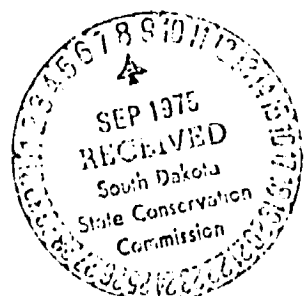
LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Marlin Pietz, County Extension Agent



Conservation
Commission
Form WL #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 OF
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: [Signature]
Disapproved: _____

NAME: Earl D. Rasmussen

ADDRESS: Hurley, S. Dak. 57036

COUNTY: Turner

LEGAL DESCRIPTION

1. WELL LOCATION: NE¹NE¹ 6-97-52

2. AREA TO BE IRRIGATED: W¹₂ and NW¹₄ 7-97-52 and NE¹₄ and N¹SE¹₄ 12-27-53

Decided to add ~~the~~ NW¹₄ SE¹₄ 12-97-53 to area to be irrigated.

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot

4. CROPS TO BE IRRIGATED: Corn, Soybeans and Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Mostly 2%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Mostly 71 Unit- I₂, Deep,
loamy, well drained soils on nearly level upland soils with few or not limitations
in use.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-751

8. SALINITY: EC = 956 (medium-light)

9. SODIUM: SAR = 0.48 (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

J. W. Rezek, PC, SCS, Parker, S. Dak. 57053

and:

J. W. Rezek

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

✓ Earl D. Roman
Mark Roman

Subscribed and sworn before me this

25 day of AUGUST 1975.

[Signature]

NOTARY PUBLIC

(Title)



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

Submitted by: Earl Matheson

Date Rec'd August 20, 1975

Address Hurley, SD 57036

Sample No. 75-751

Identification

Sec. 6, T. 97N, R. 52W

WATER ANALYSIS

Calcium (Ca)	95	ppm*	4.50	me/l**
Magnesium (Mg)	61	ppm	5.00	me/l
Sodium (Na)	24	ppm	1.04	me/l
Potassium (K)	11	ppm	0.29	me/l
Sulfate (SO ₄)	188	ppm	3.91	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	5	ppm	0.14	me/l
Bicarbonate (HCO ₃)	427	ppm	7.00	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)	350	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	956	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.48			
Sodium	9.60	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.40			
Others:				

*ppm==parts per million

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

**me/l=milliequivalents per liter

COMMENTS:

Total cations 10.83 me/l
 Total anions 11.05 me/l

By: Shirley Pittman

Service Performed

Amount Due

Irrigation analysis

66.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-751

Amount Enclosed \$

Signed

WATER LICENSE NO. 2352-3

(1) WHEREAS, On the 25th day of August A. D. 19 75 Earl & Mark Rasmussen

made Water Right Application No. 2352-3 for a permit to use 5.34 cubic feet per second of the waters of groundwater (con well) County of Turner State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 13th day of August A. D. 19 75 Permit No. 2352-3 with a date of priority of August 25, 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 13th day of November A. D. 19 78 and for the application to beneficial use of said water on or before the 13th day of November A. D. 19 80

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.64 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:

Section 12, T97N, R53E		Section 6, T97N, R52E	
NW 1/4 NE 1/4	37 acres	NW 1/4 NW 1/4	20 acres
NE 1/4 NE 1/4	37 "	NE 1/4 NW 1/4	20 "
SW 1/4 NE 1/4	37 "	SW 1/4 NE 1/4	39 "
SE 1/4 NE 1/4	37 "	SE 1/4 NW 1/4	39 "
		NW 1/4 SW 1/4	36 "
		NE 1/4 SW 1/4	36 "
		SW 1/4 SW 1/4	34 "
		SE 1/4 SW 1/4	34 "
TOTAL ACRES 406			

(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 Earl & Mark Rasmussen

_____ of Harlow SD

the holder _____ and owner _____ of said permit No. 2352-3 a water right, dating from August 25, 1975

_____ to use of 3.64 cubic feet per second of the waters

of groundwater (one well)

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

purposes hereinbelow mentioned, to be diverted at a point 1320 feet east & 352 feet south of the

NE corner, Section 6, T97N, R52W

and conducted to and upon portions of land in Section 12, T97N, R52W and Section 6,

T97N, R52W, more fully described on the face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2352-3 and subject to the laws of the State of South Dakota.

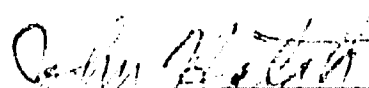
WITNESS, My hand and seal of our office at Pierre, South Dakota

this 26th day of August A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:



Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2352-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Earl & Mark Rasmussen

_____ the holder _____ of
Permit No. 2352-3, issued upon Application No. 2352-3, bearing date of priority of August 25, 1975
_____ authorizing the diversion of 5.34 cu. ft. per second of the waters of _____
groundwater (1 well) County of Turner, State of South Dakota at _____
a point 1320 ft. east & 800 feet south of the NW corner, Section 6, T97N,
R52W
_____, for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.64 cu. ft. per second of water.

Date August 26, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

J. 2352-3

Publish first publication, on or before October 30, 1974

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 24, 1975

Notice is hereby given that Earl and Mark Rasmussen

whose post office address is Hurley, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

5.34 cubic feet of water per second of time from the ground water through the

Rasmussen Irrigation Project #1 the point of diversion of which is to be located in the

Center of the NW $\frac{1}{4}$

of Section 6, Twp. 97N, Range 52W. Said water to be used for the purpose

of providing irrigation on the following described land:

W $\frac{1}{4}$ Section 6, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T97N, R53W; NE $\frac{1}{4}$, Section 12,
T97N, R53W

This application No. 2352-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES,
Water Rights Specialist

BFJ/bw

cc: Earl Rasmussen, Hurley, S.D. 57036

No. 2352-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Turner) ss.

I, James E. Wipf hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hurley Leader

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

City of Hurley

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

October 9, 1975

October 16, 1975

James E. Wipf
(Signature)

Publisher
(Title)

10-17-75
(Date Signed)

No. 2352-3

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota

Sept. 24, 1975

Notice is hereby given that
Earl and Mark Rasmussen, whose
post office address is Hurley, So-
uth Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
5.34 cubic feet of water per sec-
ond of time from ground water
through the Rasmussen Irriga-
tion Project No. 1, the point of
diversion of which is to be lo-
cated in the Center of the NW¼
of Section 6, Twp. 97N, Range 52-
W. Said water to be used for the
purpose of providing irrigation
on the following described land:

W¼ Section 6, NW¼ NW¼,
Section 7, T97N, R52W; NE¼,
Section 12, T97N, R53W

This application No. 2352-3 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 12th day
of November, 1975, at 2:30 P.M.
All interested persons may ap-
pear and be heard.

WATER RESOURCES COMMISS-
SION

By: BURTON F. JONES
Water Rights Specialist
Publish: Oct. 9 & 16, 1975.

*James E. Wipf
Notary Public
Turner Co. S.D.
8-24-75*

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7563

PIERRE, August 26, 1906

RECEIVED OF Earl Rasmussen, Hurley, SD 57036

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

Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 2352-3	----	50.00
Fee for inspecting Beneficial Use, and issuing Water License No. 2352-3		
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		50.00

WATER RIGHTS COMMISSION

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

Permit No. 2352-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by FAEL & MARK RASMUSSEN of HURLEY holder of Permit No. 2352-3, bearing date of priority of AUGUST 25, 1975 authorizing the diversion of 5.34 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in TURNER 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:
63' DEEP WELL WITH 18" STEEL CASING - 20' SS SCREEN
FAIRBANKS MORSE 10" PUMP - TYPE 11 M - SERIAL #N3A2807118X
POWERED BY 100 HP NEWMAN ELECTRIC MOTOR
- B. Works used to transport water to place of use,
1 1/2 MILES OF 10" BURIED PLASTIC MAINLINE TO PIVOT PADS.
- C. Works used to apply water to beneficial use.
ON NE^{1/4} - SECTION 12 - 9 TOWER VALLEY CORNER
ON W^{1/2} - SECTION 6 - 9 TOWER VALLEY PIVOT SYSTEM WITH
#150 NELSON END GUN - TOWED BETWEEN TWO PIVOT PADS.

The system is in the following condition: GOODThe point of diversion is located 1320' E & 800' S OF THE NW CORNER, SECTION 6, T97N, R52W

The works are capable of diverting and conveying to the place of use 3.126 CORNER 1.87 (850 GPM)
cu. ft. per second of water which is to be used for IRRIGATION 1.77 (800 GPM)

Water has been put to beneficial use to the maximum extent as follows:

SECTION 12, T97N, R53W		SECTION 6, T97N, R52W	
NW ^{1/4} NE ^{1/4}	37 AC	NW ^{1/4} NW ^{1/4}	20 AC
NE ^{1/4} NE ^{1/4}	37 AC	NE ^{1/4} NW ^{1/4}	20 AC
SW ^{1/4} NE ^{1/4}	37 AC	SW ^{1/4} NW ^{1/4}	39 AC
SE ^{1/4} NE ^{1/4}	37 AC	SE ^{1/4} NW ^{1/4}	39 AC
		NW ^{1/4} SW ^{1/4}	36 AC
		NE ^{1/4} SW ^{1/4}	36 AC
		SW ^{1/4} SW ^{1/4}	34 AC
		SE ^{1/4} SW ^{1/4}	34 AC

comprising a total of 406 acres of land.Date JUNE 18, 1980

Austin Jones
(Signature)

Water Rights Division - DWR

File No. 4648-3
2352-3

Conversation or File Documentation

NAME OF PERSON OR FILE: Mark Rasmussen

ADDRESS: Rt 2 Box 30, Hurley SD COUNTY

DATE: April 16, 1985 TELEPHONE

RE: Questionnaire

COMMENTS:
called in info for questionnaire - also indicated
Earl Rasmussen has deceased and permit
should be listed in Mark Rasmussen's name only.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Lenny Gremath



Department of Water & Natural Resources

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

4648-3

2352-3

December 4, 1987

Mark Rasmussen
RR 2, Box 30
Hurley, South Dakota 57036

Dear Mr. Rasmussen:

I am returning your 1987 Irrigation Water Use Questionnaires. It is impossible to determine the amount of water use from your questionnaires as completed.

As stated in the October 8th letter, Water Management Board rules or water permit qualifications require questionnaires to be submitted each year. The questionnaires need to be completed in such a way that actual water use can be determined for a particular crop and acreage.

The questionnaires will have to be completed and returned by December 23, 1987.

If you have any questions, please contact me.

Sincerely,

Delvin D. Brosz, H.E.
Hydrologist

DDB:ms

Enc.

2352-3

**South Dakota Department of
Water & Natural Resources**

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

February 8, 1989

MARK RASMUSSEN
RR 2, BOX 30
HURLEY, SD 57036

NOTICE

RE: Violation of Water Permit No(s). 4648-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4648-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4648-3 qualification:

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

The hearing will also be to determine if Permit No. 2352-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

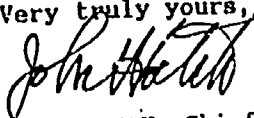
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4648-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 2352-3 also held by MARK RASMUSSEN to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



SOUTH DAKOTA Department of
Water & Natural Resources

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

March 9, 1989

NOTICE OF AMENDMENT OF WATER PERMIT

TO: Mark Rasmussen
RR 2, Box 30
Hurley SD 57036

FROM: Delvin D Brosz, P.E. *Delvin D. Brosz*
Hydrologist
For John Hatch, Chief Engineer
Water Rights Division

SUBJECT: Amendment to Water Permit No(s). 2352-3

Pursuant to the provisions of the notice dated February 8, 1989, and following the Hearing March 1, 1989, the Water Management Board has amended Water Permit No(s). 2352-3 to add the following qualification:

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

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

Please contact Genny McMath (605 773-3352), if you have any questions.

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U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

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Mark Rasnussen
RR 2, Box 30
Hurley SD 57036

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 **Department of
Water & Natural Resources**

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

JUN 27 1990

4648-3

Mark Rasmussen
RR 2, Box 30
Hurley SD 57036

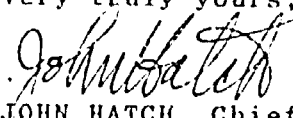
Dear Mr. Rasmussen:

Enclosed is Water License No. 4648-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412252 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. 4648-3, 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

enclosures

NOTE: The applicable portions of Water Right No. (2352-3) are incorporated into this Water License No. 4648-3.