

Right Number 2357-3

1. Considered NOV. 12, 1975
2. Name of Applicant JOHN CURRY
3. Post Office Address ELK POINT, SD
4. Amount of water claimed 2.11
5. Source of water supply GROUND WATER (105' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 150
7. Water to be diverted and used in UNION County
about 2W Miles of ELK POINT
8. Proof of Publication
Received 10-20-75
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 2357-3Map No. 1736-3 Water Division No. B Big Sioux River District Blank
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(Draw a line through items not applicable)

1. Name of Applicant John Curry
Post-office address Elk Point, State South Dakota 57025
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 John Curry Elk Point
4. Amount of water claimed (cubic feet per second) 2.11 cfs
5. Source of water supply well
6. Location of point of diversion 4000' South of the NE Corner of Sec. 22 T91N R50 W

County Union

7. Annual period or periods during which water is to be used June thru August
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 150

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.
E 1/4 Sec 22 91-50	75		
W 1/4 Sec 23 91-50	75		

Attach sheet if more space is needed

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

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

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

C. Works proposed to apply water to beneficial use.

Center Pivot System

Estimated Total Cost \$ 11,000.00Attachments: 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 UnionI, John W. Curry, 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

Subscribed and sworn to before me this

13th

day of

August

19

75Arvin F. Rudolph
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2357-3
JOHN CURRY (Applicant) RTE #1, ELK POINT (Post Office Address)
SOUTH DAKOTA 57025 (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 SEPTEMBER 10, 1975
 Date of return to applicant for correction, amendments or changes required , 19
 Date of receipt of corrected application , 19
 Approved NOVEMBER 13, 1975, Recorded in Book 14 Page 94

WATER RIGHT PERMIT NO. 2357-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2357-3 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 SEPTEMBER 10, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 1978
3. The whole of said work is to be completed on or before NOVEMBER 13, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 1980
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 2.11 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, 1980; said water to be used during the following described annual period: JUNE THRU AUGUST

Witness my hand this 17TH day of NOVEMBER, 1975

WATER RIGHTS COMMISSION

By:

John Hatfield
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 14, 1979

Water License Issued SEPTEMBER 14, 1979

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 105'
(2) Casing, Type concrete Diameter 12" Thickness 2 1/2"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type slotted, Diameter 12", Length 40'
(4) Gravel Pack, Thickness 6-9", Length of gravel pack 20 ft

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 Underground lake formation in entire Southern
1/3 of Union County

Depth to top of water bearing material 65'
Depth to bottom of water bearing material 105'
Thickness of water bearing material 40'
Depth to water (ground surface to water level) 14'

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

On same owner's property none rds. On property owned by others 130 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.


Signature of Applicant

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: W. J. T. T. T.
3/18/75

Disapproved: _____

NAME: John Curry
ADDRESS: RR-1 Elk Point So. Dak 57025
COUNTY: LINCOLN

LEGAL DESCRIPTION

1. WELL LOCATION: Sec. 27 T91N R 50 W
2. AREA TO BE IRRIGATED: -140. AC. N. V. I.
E 25 E 1/4, Sec 22, W 2 SW 1/4, Section 23, T91N, R50W

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Pay phone call with John Curry on 9-26-75
4. CROPS TO BE IRRIGATED: Corn Beans - Alfalfa
DPrinkler - Center Pivot

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-1%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Very Sandy Soil
ideal for irrigation

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: _____
8. SALINITY: _____
9. SODIUM: _____

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

SCS

and: EXTENSION

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

Subscribed and sworn before me this

7th day of Feb 1975.

Arvin F. Ricabilla

(Title)

My Commission Expires 7-15-76

MAR 18 1975

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

Submitted by: **John Curry** Date Rec'd **March 3, 1975**
Address **Elk Point, SD 57025** Sample No. **75-138**
Identification **Well- A**
Sec. 27, T 91N, R 50W

WATER ANALYSIS

Calcium (Ca)	230	ppm*	11.50	me/l**
Magnesium (Mg)	65	ppm	5.33	me/l
Sodium (Na)	78	ppm	3.39	me/l
Potassium (K)	15	ppm	0.39	me/l
Sulfate (SO ₄)	420	ppm	8.74	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	20	ppm	0.56	me/l
Bicarbonate (HCO ₃)	55.1	ppm	9.04	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)	452	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1537	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.40			
Sodium	16.44	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.67			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS: Total cations 20.61 me/l
Total anions 18.34 me/l

By: **Shirley Kitten**

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. **75-138**

Amount Enclosed **\$5**

Signed _____

Permit No. 2357-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John Curry

Permit No. 2357-3, issued upon Application No. 2357-3, bearing date of priority of September 10, 1975, authorizing the diversion of 2.11 cu. ft. per second of the waters of groundwater (one well) County of Union, State of South Dakota at point 4000 feet south of the NE corner, Section 22-T91N, R50W

, for Irrigation

purpose, 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 2.00 cu. ft. per second of water.

Date September 14, 1979


JOHN HATCH, Chief Engineer
Water Rights, WMD

WATER LICENSE NO. 2357-3

(1) WHEREAS, On the 10th day of September A. D. 1975
John Curry

made Water Right Application No. 2357-3 for a permit to use 2.11 cubic feet per second of the water of groundwater (one well)

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

(2) WHEREAS, On the 13th day of November A. D. 1980

Permit No. 2357-3, with a date of priority of September 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 13th day of November A. D. 1980 and for the application to beneficial use of said water on or before the 13th day of November A. D. 1980

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 1.94 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,

For irrigating a 136 acre circle in E½ SE¼, Section 22 and W½ SW¼, Section 23-

T91N-R50W

(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 John Curry

_____ of Elk Point SD
the holder _____ and owner _____ of said permit No. 2357-3 a water right, dating from September 10, 1975
_____ to use of 1.94 cubic feet per second of the water
of groundwater (one well)

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 4000 feet, South of the NE corner,
Section 22-T91N-R50W

and conduct to and upon a 136 acre circle in the E½ SE¼, Section 22 and W½ SW¼, Section
23-T91N-R50W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2357-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 14th day of September A. D.
Nineteen Hundred and seventy-nine

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

2357-3

Publish first publication, on or before October 20, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 2, 1975

Notice is hereby given that, John Curry
whose post office address is Elk Point, 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
2.11 cubic feet of water per second of time from ~~the~~ ground water through the
John Curry #1
_____, the point of diversion of which is to be located in the _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 22, Twp. 91N, Range 50W. Said water to be used for the purpose
of providing irrigation on the following described land:

E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22 and W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, T91N, R50W

This application No. 2357-3 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: John Curry, Route 1, Elk Point, S.D. 57025

No. 2357-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester F. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader - Courier

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

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

October 9, 1975

October 16, 1975

Lester F. Emerson
(Signature)

Publisher
(Title)

October 16, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
October 2, 1975

Notice is hereby given that
John Curry, whose post office
address is Elk Point, South
Dakota, has made an application
in accordance with the provisi-
ons of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 2.11 cub-
ic feet of water per second of
time from ground water through
the John Curry #1, the point of
diversion of which is to be locat-
ed in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22,
Twp. 91N, Range 50W. Said
water to be used for the purpose
of providing irrigation on the
following described land: E $\frac{1}{2}$
SE $\frac{1}{4}$, Section 22 and W $\frac{1}{2}$ SW $\frac{1}{4}$,
Section 23, T91N, R50W.

This application No. 2357-3
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: Eurlon F. Jones
Water Rights Specialist
Published: October 9, 1975

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7018

PIERRE, August 3 1977

RECEIVED OF John Curry, RR #1, Box 722, Elk Point, SD 57025

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. 2357-3	50.00	
Fee for inspecting Beneficial Use, and issuing Water License No. 2257-3		
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 9Y 00

Permit No. 2351-3Water Division 3 Big Sioux River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by JOHN
CURRY of ELK POINT holder
of Permit No. 2351-3, bearing date of priority of SEPTEMBER 10, 1975
authorizing the diversion of 2.11 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in UNION County.

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

The Water Use System consists of,

A. Works used to divert the water:

105' DEEP WELL WITH 18" DIA CONCRETE CASING
FAIRBANKS MORSE 8" PUMP
POWERED BY 100 HP U.S. ELECTRIC MOTOR

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

20' OF 10" LINE TO CENTER OF PLOT

C. Works used to apply water to beneficial use.

ELECTROGATOR CENTER PLOT SYSTEM - ELECTRIC
DRIVE WITH END GUN

The system is in the following condition: GOOD

The point of diversion is located 4000' S OF THE NE CORNER,
SECTION 22, T91N, R50W

The works are capable of diverting and conveying to the place of use 2.0
cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING A 136 ACRE CIRCLE IN THE E² SE⁴,
SECTION 22 AND W² SW⁴, SECTION 23, T91N, R50W

comprising a total of 136 acres of land.

Date JULY 26, 1979
Robert J. Jensen
(Signature)



Department of Water & Natural Resources

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

John W. Curry
RR 1
Elk Point SD 57025

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 2357-3, 2358-3, 3850-3, 3823-3. A request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

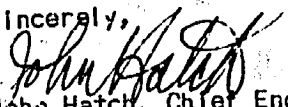
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 2357-3, 2358-3, 3850-3, 3823-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,


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

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

SOUTH DAKOTA
Department of
Water & Natural Resources

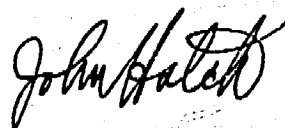
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 12, 1985

Notice of Amendment to Water Permit(s)

To: John Curry
RR #1
Elk Point, SD 57025

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



SUBJECT: Amendment to Water Permit No(s). 2358-3, 3850-3, 2357-3 & 3823-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2358-3, 3850-3, 2357-3 & 3823-3 to add the following qualification:

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

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



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 2358-3, 3850-3, 2357-3 & 3823-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2358-3, 3850-3, 2357-3 & 3823-3 to add the following qualification:

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



Department of Water & Natural Resources

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

February 10, 1989

179-3
2357-3
2358-3
3850-3

Tom Curry
RR #1 Box 250
Elk Point, SD 57025

Dear Mr. Curry:

In followup to the telephone conversation between myself and Mrs. Curry, enclosed are the 1988 irrigation questionnaires for Water Right Nos. 179-3, 2357-3, 2358-3 and 3850-3. Please complete these as accurately as possible and return them to us before March 1, 1989.

Also enclosed are "Notice of Transfer" forms for use in filing an ownership change on the water rights. The forms need to be completed, signed and notarized before returning them to our office with a required filing fee of \$2.50 each (total of \$10.00).

I have enclosed a postage paid envelope for your convenience in returning the irrigation questionnaires and the transfer forms. If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



2357-3

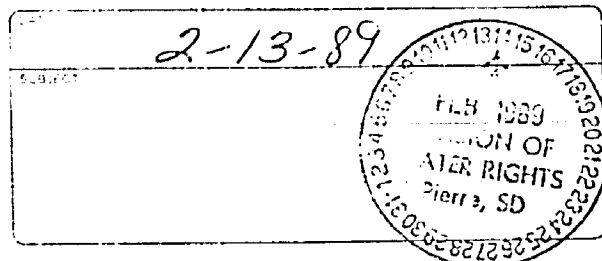
CURRY FEED & FERTILIZER CO.

I-29 Exit 15
RR 1 Box 2B
ELK POINT, SOUTH DAKOTA 57025

(605) 356-3334

TO

Water Rights Division



Enclosed please find 4 completed Irrigation questionnaires.

I am returning the transfer forms. Please leave the permits in John Curry's name. He is just retired, ~~the~~ the permits are still his. Send the questionnaires in the future to Tom Curry - RR #1 Box 250, Elk Point, S.D. 57025

If you have any questions, feel free to call me. Thank You
at above place.

☐ PLEASE REPLY

☐ NO REPLY NECESSARY

SIGNED

Linda



Department of Water & Natural Resources

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

February 8, 1989

JOHN CURRY
BOX 729
ELK POINT, SD 57025

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s) 2357-3, 3850-3, 2358-3, 179-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 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. Amend Permit No(s) 2357-3, 3850-3, 2358-3, 179-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

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

February 23, 1989

179-3
(2357-3)
2358-3
3850-3

Tom Curry
RR #1 Box 250
Elk Point, SD 57025

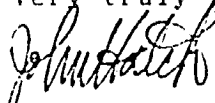
Dear Mr. Curry:

I am writing to acknowledge receipt of the 1988 irrigation questionnaires for Water Permit Nos. 179-3, 2357-3, 2358-3 and 3850-3, listed in the name of John Curry. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires, John Curry's name has been deleted from the March Water Management Board meeting agenda.

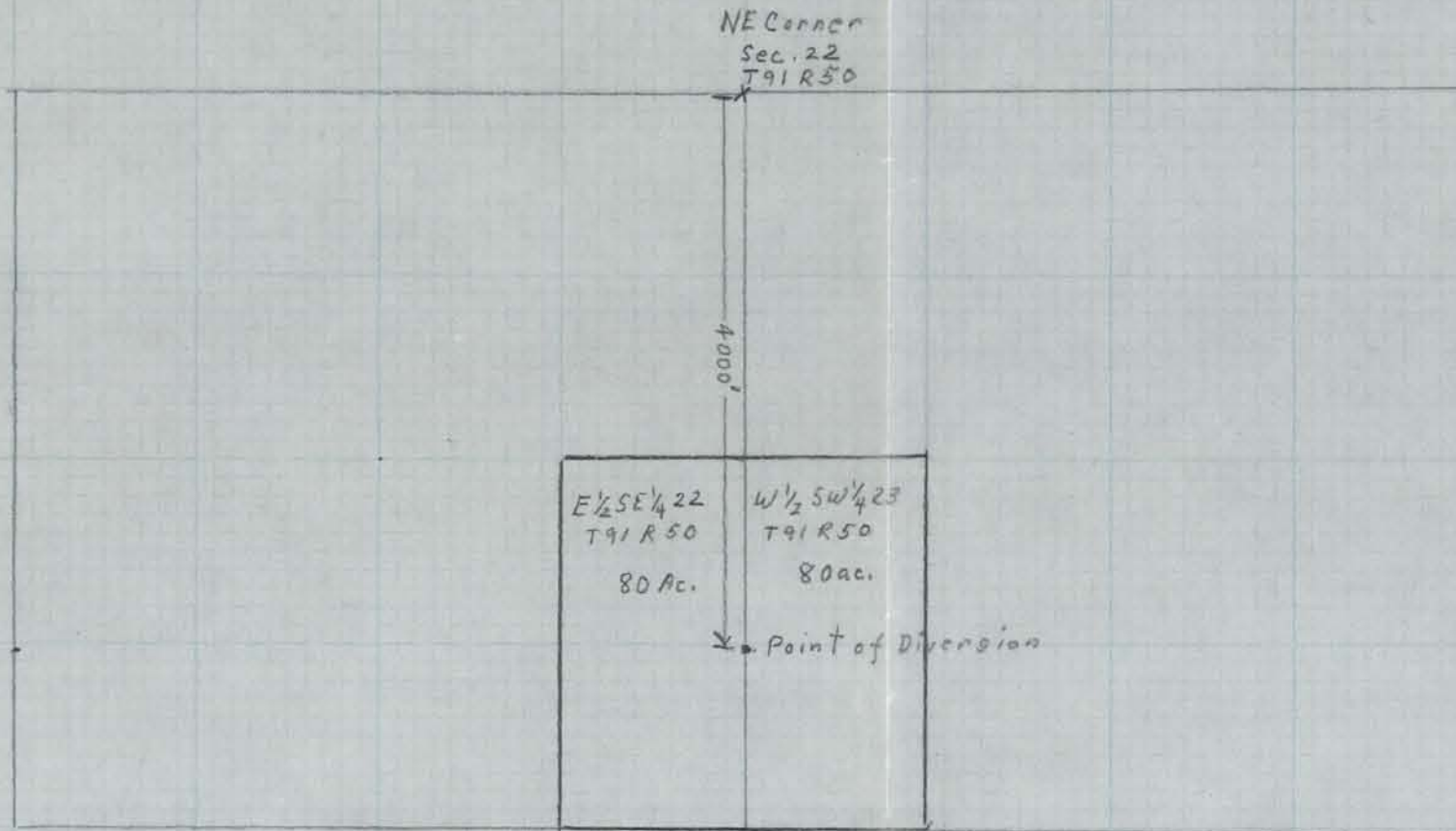
Your name has been added to the permit files as that of manager, with ownership left under the name of John Curry. Future irrigation questionnaires will be sent directly to you.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



4" = 1 Mile

John Curry
Elk Point, Sd. Dak. 57025
Center Pivot Irrigation System
160 Acres

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed by <u>E. K. Dahlgrun</u>	Date <u>4-24-75</u>	Approved by <u>E. K. Dahlgrun</u>
Drawn <u>E. K. Dahlgrun</u>		Title <u>4-24-75</u>
Traced <u>E. K. Dahlgrun</u>		Sheet <u>1</u> of <u>1</u>
Checked <u>E. K. Dahlgrun</u>		Drawing No. <u>4-24-75</u>

2357-3



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



November 7, 2014

1374-3
2357-3
2358-3

Scott Hanson
47674 327th St
Elk Point SD 57025

Dear Mr. Hanson:

Enclosed are three 2014 irrigation questionnaires originally sent to Tom Curry in Elk Point. Mr. Curry has notified us that you now cash rent the land and would have the information needed for the questionnaires.

The legal descriptions pertaining to each are on the bottom of each form. I am also enclosing a copy of the water right to give you more information on what is authorized for each one.

Please complete the forms and return them in the envelope provided by **December 1st**. I am including a postage paid envelope for your convenience in returning the forms. You can also submit the information on line at the following link:
<http://denr.sd.gov/des/wr/watrightsapps.aspx> Once you get to the link, scroll down the page until you see "Irrigation Questionnaire Annual Reporting form".

If you have any questions, please let me know.

Sincerely,

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

enclosures



2357-3

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: SCOTT HANSON, RENTER, 47674 327TH ST, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit Nos. 1374-3, 2357-3 & 2358-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1374-3, 2357-3 & 2358-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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>

c: Tom Curry, 32306 477th Ave., Elk Point SD 57025

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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 24, 2015

1374-3
2357-3
2358-3

Scott Hanson
47674 327th St
Elk Point SD 57025

Dear Mr. Hanson:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires for Water Right Nos. 1374-3, 2357-3 & 2358-3.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for these water rights. 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

c: Tom Curry, 32306 477th Ave, Elk Point SD 57025



2357-3
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 15, 2016

NOTICE

TO: SCOTT HANSON, 47674 327TH ST, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate the 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 1374-3, 2357-3 & 2358-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Thursday, March 3, 2016 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1374-3, 2357-3 & 2358-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** 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

March 2, 2016

1374-3
2357-3
2358-3

Scott Hanson
47674 327th St
Elk Point SD 57025

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 1374-3, 2357-3 and 2358-3. 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



2357-3

**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 20, 2017

NOTICE

TO: SCOTT HANSON, 47674 327TH ST, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire has not been submitted for Permit No(s) 1374-3, 2357-3 & 2358-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1374-3, 2357-3 & 2358-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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 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.



2357-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 28, 2017

Scott Hanson
47674 327th St
Elk Point SD 57025

RE: Water Permit Nos. 1374-3, 2357-3 & 2358-3

Dear Mr. Hanson

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit Nos. 1374-3, 2357-3 & 2358-3. 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



2357-3

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: SCOTT HANSON, RENTER, 47674 327TH ST, ELK POINT, SD 57025

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) 179-3, 1374-3, 2357-3 & 2358-3 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) 6878-3 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) 6878-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 179-3, 1374-3, 2357-3 & 2358-3 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>

c: TOM CURRY, 32306 477TH AVE, ELK POINT SD 57025

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

March 12, 2018

Scott Hanson
47674 327th St
Elk Point SD 57025

RE: Water Right Nos. 179-3, 1374-3, 2357-3, 2358-3 and Water Permit No. 6878-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of the 2017 irrigation questionnaires for the above listed water rights and water permit.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 179-3, 1374-3, 2357-3, 2358-3 and Water Permit No. 6878-3. The information was received in our office prior to the Water Management Board meeting and your name was deleted from the agenda.

With reference to the additional questionnaire you sent in for land in the W ½ SW ¼ Section 8 and NW ¼ NW ¼ Section 17, T91N, R49W, where did the number "0334-3" come from? The land is authorized for irrigation under Water Right No. 306-3 listed in the name of J J Curry & Sons. Curry Seed Company submitted a questionnaire for Water Right No. 306-3 on December 1st. I have included a copy of the form you sent in along with a copy of the form submitted by Curry's. My concern is that the information reported appears to be different. I am hoping to hear back from you or from Mr. Curry as to which information is correct.

Thank you in advance for your help in clarifying the questionnaires.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

c: Tom Curry, 32306 477th Ave, Elk Point SD 57025



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: SCOTT HANSON, MGR, 47674 327TH ST, ELK POINT, SD 57025

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) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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) 6878-3 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) 6878-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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>

c: TOM CURRY, 32306 477TH AVE, ELK POINT SD 57025

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

March 1, 2019

Scott Hanson
47674 327th St
Elk Point SD 57025

RE: Water Right Nos. 179-3, 306A-3, 1374-3, 2357-3, 2358-3 & 6878-3

Dear Mr. Hanson:

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. 179-3, 306A-3, 1374-3, 2357-3, 2358-3 & 6878-3. 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

c: Thomas W Curry, 32306 477th Ave, Elk Point SD 57025



2357-3
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: SCOTT HANSON, MGR, 47674 327TH ST, ELK POINT, SD 57025

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) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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) 6878-3 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) 6878-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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: XPZLKY**

c: TOM CURRY, 32306 477TH AVE, ELK POINT SD 57025

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

January 28, 2020

Scott Hanson
47674 327th St
Elk Point SD 57025

RE: Water Right/Permit Nos. 179-3, 306A-3, 1374-3, 2357-3, 2358-3, 6878-3, 8364-3

Dear Mr. Hanson:

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/Permit Nos. 179-3, 306A-3, 1374-3, 2357-3, 2358-3, 6878-3, 8364-3. 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

c: Tom Curry



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SCOTT HANSON, MGR, 47674 327TH ST, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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) 6878-3, 8364-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 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) 6878-3, 8364-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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 3, 2021** 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: HCHCEY**

C; TOM CURRY, 32306 477TH AVE, ELK POINT SD 57025

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.

2357-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2021

Scott Hanson
47674 327th St
Elk Point SD 57025

RE: Water Permit/Right Nos. 179-3, 306A-3, 1374-3, 2357-3, 2358-3, 6878-3, 8364-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and rights. 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, appearing to read "Genny McMath". The signature is written in dark ink on a white background.

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, 2022

NOTICE

TO: SCOTT HANSON, MGR, 47674 327TH ST, ELK POINT, SD 57025
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) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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) 6878-3, 8364-3 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) 6878-3, 8364-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 179-3, 306A-3, 1374-3, 2357-3 & 2358-3 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: XNXFOM**

c: TOM CURRY, 32306 477TH AVE, ELK POINT SD 57025

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.

2357-3



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

March 1, 2022

Scott Hanson
47674 327th St
Elk Point SD 57025

RE: Water Permit/Right Nos. 179-3, 306A-3, 1374-3, 2357-3, 2358-3, 6878-3 & 8364-3

Dear Mr. Hanson:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit/Right Nos. 179-3, 306A-3, 1374-3, 2357-3, 2358-3, 6878-3 & 8364-3. 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