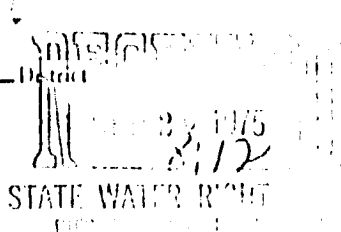


Water Right Number 2390-3

1. Considered November 12, 19 75
2. Name of Applicant Huron Colony
3. Post Office Address Huron, SD 57350
4. Amount of water claimed 3.00
5. Source of water supply James River
6. Water to be used for Irrigation
Acres to be irrigated 160
7. Water to be diverted and used in Beadle County
about 14N Miles of HURON
8. Proof of Publication
Received 11-6-75
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 2390-3Map No. 1767-3 Water Division No. 3 JAMES RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

1. Name of Applicant Huron Hutterite Mutual Soc., Inc.
 Postoffice address Rt. 2 Box 185 Huron, State South Dakota 57350
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & direct labor
3. Name of diversion work Project II
4. Amount of water claimed (cubic feet per second) 3.0
5. Source of water supply James River
6. Location of point of diversion NE $\frac{1}{4}$ of 32-113N-61W
- County Beadle
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 160 A 100 A

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 29-113-61	40		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 29-113-61	40		
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29-113-61	40		
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 29-113-61	40		

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 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman
12. Principal Features of the Proposed Water Supply System.

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

centrifugal pump

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

Main line

C. Works proposed to apply water to beneficial use.

- Gated pipe
- Center pivot

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)
) ss.
 County of Beadle)

I, John J. Wollmann 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 Huron Hutterite Mutual Soc. Inc.

Subscribed and sworn to before me this _____ day of _____ 19____

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2390-3
HURON HUTTERIAN MUTUAL SOCIETY, INC. P.R. # 1, HURON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57350 With the following modifications:
 (State)

This permit does not authorize diversion of water from the James River after August 10th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the State Water Rights Commission, or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders issued by the Commission or its representative

This permit does not authorize diversions from the James River when less than 20 c.f.s. of water is by-passing the Third Street Dam in Huron.

Date of first receipt of application SEPTEMBER 26, 19 75
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved NOVEMBER 13, 19 75, Recorded in Book 14 Page 124

WATER RIGHT PERMIT NO. 2390-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2390-3 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 26, 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 78
3. The whole of said work is to be completed on or before NOVEMBER 13, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 19 82
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 3.0 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 82; said water to be used during the following described annual period: APRIL THRU AUGUST 10

Witness my hand this 18TH day of NOVEMBER, 19 75

WATER RIGHTS COMMISSION

By:

John H. Hite
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 27, 19 80

Water License Issued FEBRUARY 27, 19 80

Permit No. 2390-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Huron Hutterian Mutual Society, Inc.

_____ the holder _____ of
Permit No. 2390-3, issued upon Application No. 2390-3, bearing date of priority of September 26,
1975 authorizing the diversion of 3.00 cu. ft. per second of the waters of the
James River County of Beadle, State of South Dakota at a
point 1200 ft. south and 1600 ft. west of the NE Corner, Section 32 -
T113N - R61W
_____, for irrigation

purposes, has 8 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 1.89 cu. ft. per second of water.

Date February 27, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2390-3

(1) WHEREAS, On the 28th day of September A. D. 19 75

Auron Lutheran Mutual Society, Inc.

made Water Right Application No. 2390-3 for a permit to use 3.00 cubic feet per second of the water of the James River

County of Hughes State of South Dakota, for

purposes; and

(2) WHEREAS, On the 13th day of November A. D. 19 75

Permit No. 2390-3 with a date of priority of September 26, 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 80 and for the

application to beneficial use of said water on or before the 13th day of November A. D. 19 82

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 1.89 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 29 - T113N - R61W

	acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	33
NE $\frac{1}{4}$ SE $\frac{1}{4}$	33
SW $\frac{1}{4}$ SE $\frac{1}{4}$	33
SE $\frac{1}{4}$ SE $\frac{1}{4}$	33
Total	132

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Huron Hutterian Mutual Society, Inc.

_____ of Huron, SD

the holder _____ and owner _____ of said permit No. _____ a water right, dating from September 26, 1975

_____ to use of 1.89 cubic feet per second of the waters of the James River

in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1200 ft. South and 1600 ft. West of the NE Corner, Section 32 - T113N - R61W

and conduct^{ed} to and upon lands all in Section 29 - T113N - R61W, more fully described on the face of this License.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2390-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27th day of February A. D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer JOHN HATCH

Conservation
Commission
Form WI #1

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

FOR COMMISSION USE

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: _____

Disapproved: _____

NAME: Huron Hutterite Mutual Soc., Inc.

ADDRESS: Rt. 2 Box 185 Huron, South Dakota 57350

COUNTY: Deadle

LEGAL DESCRIPTION

1. WELL LOCATION: 1. Diversion SE $\frac{1}{4}$ of 25-113N-62W
2. Diversion NE $\frac{1}{4}$ of 32-113N-61W
1. E $\frac{1}{2}$ of 25-113N-62W
2. AREA TO BE IRRIGATED: 2. SE $\frac{1}{4}$ 29-113-61

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Center pivot
4. CROPS TO BE IRRIGATED: Alfalfa, corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Attached sheet
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: James River
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 Soil Scientist

and:

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

Huron County, S.D.

Subscribed and sworn before me this

17th day of September 1955.

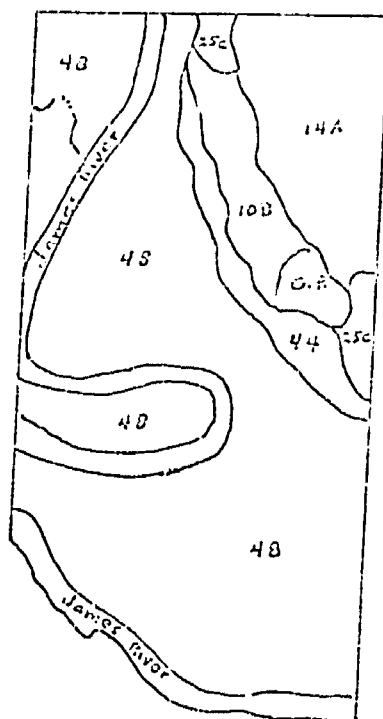
Notary Public

My Comm. Expires

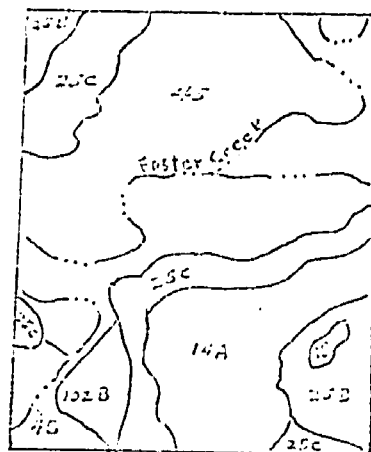
(Title)

Huron Colony unit

SOILS MAP



E¹₂-25-113-62



SE¹₄ and SE¹₄SW¹₄-29-113-61

SOILS LEGEND

- 4B LaDelle silt loam, 0 to 2 percent slopes
This unit consists of moderately well drained soils on nearly level floodplains. They have silt loam profiles. Permeability is moderate. Slopes are plane. Surface runoff is slow.
- 102B Houdak-Prosper loams, 2 to 6 percent slopes
This unit consists of deep well and moderately well drained loamy soils with calcareous substrata. The subsoils contain 30-35% clay. Depth to the calcareous clay loam substratum ranges from 18 to 30 inches. Permeability is moderately slow. Included within these areas are small enclosed depressions and small areas of soil with claypan subsoils which contain salts. Drainage or fill of these included areas may become desirable to prevent ponding and excessive wetness.
- 15 Patoka-Hoven silt loams
This unit consists of poorly drained soils in enclosed depressions. Permeability is very slow and surface drainage is lacking. Dense compact subsoils and ponding generally limit these soils for irrigation. Drainage of these soils is desirable under irrigation.

- 14A Great Bend silt loam, 0 to 2 percent slopes
This unit consists of well drained soils on nearly level uplands. These soils have silt loam profiles. Permeability is moderate. Surface runoff is medium.
- 25B Great Bend-Zell silt loams, 2 to 6 percent slopes
This unit consists of well drained soils on gently undulating uplands. These soils have silt loam profiles. The Zell soils - 20 to 30 percent of the area - have thin sola. Permeability is moderate. Surface runoff is medium. This unit has a moderate water erosion hazard.
- 25C Zell silt loams, 6 to 12 percent slopes
This unit consists of well drained soils on moderately sloping uplands. These soils have silt loam profiles. These soils have sola from 3 to 16 inches thick. Permeability is moderate. Surface runoff is rapid. This unit has a severe water erosion hazard.
- 10B Delmont-Tulmo complex, 2 to 6 percent slopes
This unit consists of well drained soils on gently undulating terraces. These soils have a loam solum 10 to 20 inches thick which are underlain by sands and gravels. Permeability is moderate in the loam sola and rapid in the underlying material. Surface runoff is medium.
- 44 Durrstein silt loam, 0 to 2 percent slopes
Wetness, high salt content and slow permeability make these soils unsuitable for irrigation.
- 45 Lamo silt loam, 0 to 2 percent slopes
This unit consists of deep moderately well to somewhat poorly drained soils on nearly level floodplains. They have silt loam profiles which grade to silty clay loam or clay loam substrata at depths of 40 to 60 inches. Permeability is moderate. Slopes are plane. Surface runoff is slow.

Huron Colony unit

Soil Conservation Service
Eagle County

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 17, 1975

Notice is hereby given that Huron Hutterian Mutual Society, Inc.

whose post office address is Huron, 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

3.00 cubic feet of water per second of time from the James River through the

Huron Colony Project #2, the point of diversion of which is to be located in 103

between points in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 25, Twp. 113N, Range 62W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

NE $\frac{1}{4}$, Section 25, T113N, R62W and SE $\frac{1}{4}$ and S $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29,

T113N, R61W

This application No. 2 30-3 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: JEMVVV

Jake J. Wollmann, Huron Colony, Huron, S.D. 57350

No. 2390-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Dorothy Murphy hereby

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

Water was taken from the Huron Daily Plainsman

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 Huron

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

October 24, 1975

October 31, 1975

Dorothy Murphy
(Signature)

Beadle County
(Title)

10-31-75
(Date Signed)

F.P. 10 24 75 L.P. 10 31 75
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 17, 1975
Notice is hereby given that Huron
Hutterian Mutual Society, Inc.
whose post office address is Huron,
South 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 3.00 cubic feet of
water per second of time from the
James River through the Huron
Colony Project No. 2, the point of
diversion of which is to be located
between points in the NW 1/4 NE 1/4
and in the SE 1/4 SE 1/4 of Section 25,
Twp. 113N, Range 62W. Said water
to be used for the purpose of
providing irrigation on portions of
the following described land: NE 1/4,
Section 25, T113N, R62W and SE 1/4,
and S 1/2 NE 1/4, Section 29, T113N,
R61W.
This application No. 2390-3 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 COM-
MISSION
By: BURTON F. JONES
Water Rights Specialist
cc: Jake J. Wollmann, Huron
Colony, Huron, S.D. 57350.
No. 555 (adv.)

203.2

235

85.1

3-820

29.2

178.1

11W 1/4 SE 1/4
33 Ac

NE 1/4 SE 1/4
Center Point 33 Ac

63.7

SW 1/4 SE 1/4
33 Ac

SE 1/4 SE 1/4
33 Ac

Huron Colony
Permit # 2390 3

113-61

29

37.7

3 8.0

13.1

Pump Site
1600'

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7289

February 1

PIERRE,

Standard

19

RECEIVED OF Sam J. Waldner, Huron Hutterian Mutual Soc., Inc., RR #2, Box 185, Huron
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. 2390-3		
Fee for inspecting Beneficial Use, and Issuing Water License No. 2390-3		50 10
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 10

WATER RIGHTS COMMISSION

By (L. A. Hatch) / 1 /
Chief Engineer, Executive Officer

JOHN HATCH

(97)

Permit No. 2390-3Water Division 3 James River Water District

**REPORT 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 Huron Irrigation
Mutual Society, Inc. of Rt #2 Box 185 Huron S Dak 57350 holder
of Permit No. 2390-3, bearing date of priority of September 26, 1975
authorizing the diversion of 3.0 cu. ft. per second of the waters of James River
for Irrigation purposes, in Beadle 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:
River Pump. Motor G.E. 10 5K 256JN2354, 20 HP 1725 RPM
Pump Cornell Model 5475-4, Ser # 19522 7 1/2
pumping 850 gpm.

B. Works used to transport water to place of use,
2500 ft. 8" PVC Pipe.

C. Works used to apply water to beneficial use.
T 4 L Center Pivot
Booster Pump at CP 50 HP G.E. Motor, Cornell Pump

The system is in the following condition: Good.

The point of diversion is located 1200 ft S and 1600 ft W of N.E. Cor
Sec. 32 T113N R61W

The works are capable of diverting and conveying to the place of use 1.89
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: 44 in Sec 32 T113N R61W
NW 1/4 SE 1/4 - 33 AC. NE 1/4 SE 1/4 - 33 AC. SW 1/4 SE 1/4 - 33 AC
SE 1/4 SE 1/4 - 33 AC

comprising a total of 132 acres of land.

Date August 7, 1979
Larry J. McLaughlin
(Signature)

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

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

March 23, 1987

HURON COLONY, Jake Wollman
RR #2 BOX 185
HURON, SD 57550

NOTICE

Re: Violation of Water Permit(s). 4400A-3 and 1986 Irrigation Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-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(s). 343-3, 343-3A, 3268-3, and 2390-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

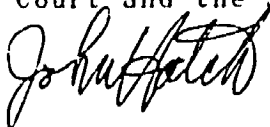
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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 hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4400A-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 343-3, 343-3A, 3268-3, and 2390-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

A handwritten signature in cursive script, appearing to read "John Hatch".

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

NOTE: If the questionnaire(s) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

South Dakota Department of
Water & Natural Resources

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

April 15, 1987

343-3
343-3A
~~2390-3~~
3268-3
4400A-3

Jake J Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

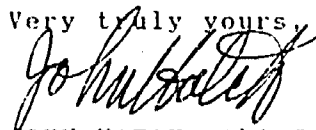
Dear Mr. Wollman:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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



Department of Water & Natural Resources

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

April 18, 1988

343-3

343-3A

2390-3

Lake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Wollman:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

James River Flow* Record

Date	LaMeure	Ludden	Columbia**	Ashton	Huron	Forestburg	Scotland
04/06/88	81.2	(state	15.0	33.7	48.0	105	285
04/11/88	134	line)	12.4	34.3	39.4	60.9	167
04/13/88	150		8.99	21.4	34.3	55.7	122
04/14/88	159	196	21.3	34.3	32.0	50.8	115
04/15/88	142		57.0	45.6	32.0	48.9	112

* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

** Sand Lake Refuge has increased releases due to inflows

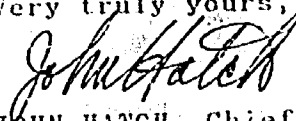
The flow in North Dakota at LaMeure, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 15 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SD State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

May 18, 1988

NOTICE OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

343-3
343-3A
2390-3

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch
By James M. [Signature]

SUBJECT: Shut Off Order To James River Water Right Holders Located Above
Huron, Effective 12:00 Noon, May 25, 1988.

I am certain that you are aware that James River flows are not enough to supply all water rights. Therefore, to protect the City of Huron's senior water rights and to provide water for domestic use (livestock watering), effective 12:00 noon on May 25, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

The following is the latest flow information that we have on the river:
(these are provisional records - flow measured in cubic feet per second)

Date	LaMoure	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
05/09/88	5.5	156	6.97	51.4	62.0	57.7	72.0
05/10/88	4.2	48.0	16.3	43.7	65.1	65.3	87.4
05/11/88		.05	9.23	31.6	45.0	68.8	82.0
05/12/88	4.6	5.79	6.30	30.3	51.3	68.8	79.4
05/13/88	0.30	0.45	6.46	30.0	48.0	65.3	76.9
05/16/88	0.50	3.09	3.15	21.1	45.0	49.9	62.8
05/17/88	0.0	0.0	4.84	16.0	42.1	43.7	58.5
05/18/88	0.0	0.0	3.51	12.8	6.8*	39.6	50.7

* South wind affecting the reading

As the information listed above shows, there is almost no James River flow in North Dakota and the flows in South Dakota are steadily decreasing. Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

cc: City of Huron



SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 24, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

343-3
343-3A
2390-3

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 1, 1988
due to Increased Flows in the James River.

The rains this past weekend over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 1, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.





Department of Water & Natural Resources

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

May 31, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

343-3
343-3A
2390-3

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

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 15, 1988
due to Increased Flows in the James River.

The rains over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 15, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.



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

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

February 8, 1989

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

RF: Violation of Water Permit No(s). 4400A-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-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). 4400A-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. 343-3, 343-3A, 2390-3, 3268-3 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). 4400A-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 343-3, 343-3A, (2390-3) 3268-3 also held by JAKE WOLLMAN- HURON COLONY 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 57501-3191

March 6, 1989

343-3
343-3A
2390-3
3268-3
4400A-3

Jake Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

July 17, 1989

NOTICE OF SHUTOFF ORDER

343-3
343-3A
2390-3

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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

SUBJECT: Shut Off Order to James River Water Right Holders
Located above Huron Effective 12:00 Noon July 20, 1989.

The flows in the James River have dropped to less than 20 cfs at Huron. Therefore to protect the City of Huron's prior rights and domestic uses (livestock watering) on the James River, effective 12:00 noon on July 20, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from the James River.

If you have any questions, please contact James Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

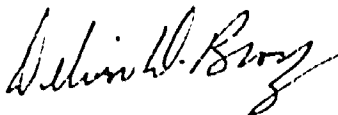
April 6, 1990

NOTICE OF SHUTOFF ORDER

343-3, 343-3A, (2390-3)

TO: Wollman, Jake
Huron Colony
RR 2, Box 185
Huron, SD 57350

FROM: *for* John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352



SUBJECT: Shut Off Order to All James River Irrigation Water Right Holders-Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at most of the gaging stations. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) on the river below Huron, effective immediately, no pumping of water from the James River is authorized until January 1, 1991 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the 1990 irrigation season from the James River. If conditions do improve, notices will be issued, based on senior priority dates, to allow pumping by irrigators.

Sand Lake Wildlife Refuge is approximately one foot below the full level. The Refuge is entitled to the flows from North Dakota under a senior water right. The flows from North Dakota are expected to decrease due to the lack of snow pack. The storage levels in the Jamestown and Pipestem Reservoirs are down with no expected releases.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland	Yankton
3/28/90	----	----	----	----	6.0	15.0	30.2
4/2/90	----	3.5	8.0	0	5.4	22.0	----
4/4/90	51.0	10.0	10.0	0			

If you have any questions, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

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

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

June 29, 1990

RESCISSION OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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

343-3
343-3A
2390-3

SUBJECT: Rescission of April 6, 1990 Shutoff Order to James River Water Right Holders

The flows in the James River have improved. Therefore, I am rescinding the April 6, 1990 shutoff order, effective immediately, for the section of the James River downstream from the James River Diversion Dam to the Huron Third Street Dam.

The following is the latest flow (cfs) information on the river:

<u>Date</u>	<u>Ludden</u>	<u>Columbia</u>	<u>Ashton</u>	<u>Huron</u>	<u>Forestburg</u>	<u>Scotland</u>
6/27/90	45.2	0.6	12.3	20.5	132.8	249.1
6/28/90	32.4	1.7	25.8	68.4	120.0	229.4
6/29/90	10.9	1.0	23.1	51.3	117.1	206.0

If the flows of the river should decrease to less than 20 cfs at the Third Street Dam, shutoff will again be necessary.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

August 8, 1990

NOTICE

343-3, 343-3A,
(2390-3)

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. On some of the older permits this qualification though not listed is still valid and must be followed. Since there are still flows in portions of the James River, continuation of diversions beyond the shutoff date will be considered on a case by case basis. To do this you need to contact Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

<u>DATE</u>	<u>LUDDEN</u>	<u>COLUMBIA</u>	<u>ASHTON</u>	<u>HURON</u>	<u>FORESTBURG</u>	<u>SCOTLAND</u>
8/06/90	0.0	0.0	14.3	128.0	188.0	99.0
8/01/90	0.0	0.0	10.6	108.1	166.5	119.5
8/02/90	0.0	0.0	7.6	99.0	146.2	138.9

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

August 13, 1990

2390-3
343-3
343-3A

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

In response to your request by telephone, you are authorized to continue pumping from the James River under your water right.

The flows in the James River will continue to be monitored. If the flows become so low that use by senior water right holders or domestic users becomes impaired a shutoff order will again be issued.

If there are any questions, please contact this office.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
605 773-3352



Department of Water & Natural Resources

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

343-3A

343-3

2390-3

August 31, 1990

NOTICE

TO: Jake Wollman
Huron Colony
RR #2 Box 135
Huron SD 57350

FROM: John Hatch, Chief Engineer
Water Rights Division

SUBJECT: Shutoff Order for Water Rights in the James River Reach
Above Huron to the James River Diversion Dam

Due to the present low flow conditions in the James River at Huron, withdrawals of water from the James River above Huron to the James River Diversion dam must cease. This order is effective September 4, 1990.

If you have any question, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre SD 57501-3181. Phone (605) 773-3352.



Department of Water & Natural Resources

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

April 2, 1991

343-3
343-3A
2390-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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

South Dakota

2390-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 1, 1991

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON SD 57350

NOTICE

RE: Violation of Water Permit No(s) 343-3, 343-3A, 2390-3, 3268-3, 4400A-3 and 1990
Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 343-3, 343-3A, 2390-3, 3268-3, 4400A-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 4400A-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(s) 343-3, 343-3A, 2390-3, 3268-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

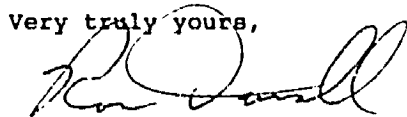
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 4400A-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 343-3, 343-3A, 2390-3, 3268-3 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 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



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

2390-3

February 13, 1991

343-3
343-3A
(2390-3)
3268-3
4400A-3

Jake Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 5, 1991

NOTICE

343-3
343-3A
(2390-3)

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

FROM: *for* JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

Delvin D. Brosz

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

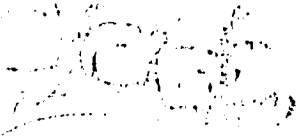
DATE	LUDDEN	COLUMBIA	ASHTON	HURON	FORESTBURG	SCOTLAND
7/31/91	6.7	63	130	139	142	148
8/02/91	17	58	125	134	139	154
8/05/91	0.3	36	101	126	140	166

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone (605) 773-3352

cc: City of Huron, Water Superintendent

2390-3

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

August 13, 1991

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

In response to your telephone call requesting an extension to pump from the James River, you are hereby authorized to continue irrigation under Water Right Nos. 343-3, 343-3A and (2390-3) from the James River.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights. We will continue to monitor the river and will be in contact with you if low flows become a problem.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

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



2390-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 5, 1991

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

The flow in the James River is approaching 20 cfs at Huron and continues to drop. Therefore, to protect Huron's senior water right and downstream domestic use (including livestock watering), diversions covered under Water Right Nos. 343-3, 343A-3 and 2390-3 shall be discontinued, effective immediately, until January 1, 1992.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

for Helmer H. Brong
JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

Water Rights Division - DWR
Conversation or File Documentation

File No. 2390-3

NAME OF PERSON OR FILE: Huron Colony

ADDRESS: _____ COUNTY Beadle

DATE: 4-1-92 TELEPHONE _____

RE: legal for diversion point incorrect on advertisement

COMMENTS:

The notice to appropriate water for permit No 2390-3 located the diversion point between the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25-T113N-R62W.

The water license issued in 1980 said the diversion point was located in Sec 32-T113N-R61W. The Application said the diversion point was in the NE $\frac{1}{4}$ Sec 32-T113N-R61W.

According to 46 5-4.1 This is a ^{expired} ~~invalidated~~ license.

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.

4/82

NAME: Norma C. Bb



April 14, 1992

2390-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE OF SHUTOFF ORDER

343-3
343-3A
2390-3

TO: SAM J WALDNER
HURON HTRN BRTH
RR 2 BOX 185
HURON, SD 57350

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

SUBJECT: Shut Off Order to All James River Water Right Holders
Above Huron, Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at the gaging stations above Huron. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) below Huron, effective immediately, no pumping of water from the James River above Huron is authorized until January 1, 1993 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for 1992 from the James River above Huron diversion dam. If conditions improve, notices will be issued, based on senior priority dates, to allow pumping by water users.

Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is receiving below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
4/7/92	83	.4	9	32	40	57
4/10/92	54	.6	7	20.5	---	57
4/13/92	6	.6	4	20.5	---	55

If you have any questions, please contact Norma Job or Del Brosa, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



2390-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 22, 1992

RESCISSION OF SHUTOFF ORDER

343-3

343-3A

2390-3

TO: HURON HTTRN BRTH
% JAKE WOLLMAN
RR 2 BOX 185
HURON, SD 57350

FROM: *for* John Hatch, Chief Engineer *Del Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of April 14, 1992 Shutoff Order
to James River Water Right Holders above the
Huron Third Street Dam to Ashton.

The present flow conditions on the James River are sufficient to allow for diversions. The Shutoff Order of April 14, 1992 is rescinded, effective immediately, for all James River Water Right Holders between the Huron Third Street Dam and the Ashton gaging station. We will continue to monitor the flows of the James River through the summer. The present increase in flow may only be temporary. If the present flow conditions continue, pumping will be allowed until the mandatory August 10 shutoff date. Pumping after the August 10 shutoff date will be handled on request and requires written approval from the Chief Engineer.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.

cc: City of Huron, Water Superintendent



2390-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: HURON COLONY, JAKE WOLLMAN, RR #2 BOX 185, HURON, SD 57350

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

SUBJECT: Violation of Water Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2390-3 & 3268-3 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) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

2390-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1996

Ron Wollman
Huron Colony
RR 2 Box 185
Huron, SD 57350

RE: Water Permit Nos. 2390-3, 3268-3, 4400A-3 and 5651-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permits and Violation of the Requirements to Submit the 1995 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: HURON COLONY, JAKE WOLLMAN, RR 2 BOX 185, HURON, SD 57350

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

SUBJECT: Violation of Water Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2390-3 & 3268-3 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) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

23903



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 1997

2390-3

3268-3

4400A-3

5651-3

Jake Wollman
Huron Colony
RR 2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation.

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

If you have any questions, please contact me.

Sincerely,

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



January 9, 1998

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3131

TO: HURON COLONY, JAKE WOLLMAN, RR 2 BOX 185, HURON, SD 57350

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2390-3 & 3268-3 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) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

2390-3
HURON COLONY
JAKE WOLLMAN
RR 2 BOX 185
HURON SD 57350

4a. Article Number

2179157149

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Jake Wollman*

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

PS Form 3811 December 1994

102595-97-0-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

2390-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1998

2390-3
3268-3
4404A-3
5651-3

Huron Colony
Jim J Waldner
RR 2 Box 185
Huron SD 57350

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 2390-3, 3268-3, 4404A-3 and 5651-3.

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

If you have any questions, please contact me.

Sincerely,

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

2390-3



January 16, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: HURON COLONY, JIM J WALDNER, 40068 HURON COLONY LANE, HURON, SD 57350

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2390-3 & 3268-3 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) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605 773- 352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2390-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2002

Jim J Waldner
Huron Colony
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Waldner:

Enclosed is a set of irrigation questionnaires for 2001. It is my understanding that you do not have the original forms mailed out in October.

The legal descriptions for each water permit or right are now shown on the irrigation questionnaires. Please review them and complete the forms with any irrigation information you may have from last crop season.

The forms need to be returned to our office **prior to March 13th**. On March 13th the Water Management Board will meet to discuss what type of action should be taken for questionnaires not received in a timely manner.

If you have any questions and need assistance in completing the forms, please give me a call.

Thank you,

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



2390-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 2002

2390-3
3268-3
4400A-3
5651-3

Jim Waldner
Huron Colony
40068 Huron Colony lane
Huron, SD 57350

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2390-3, 3268-3, 4400A-3 and 5651-3.

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

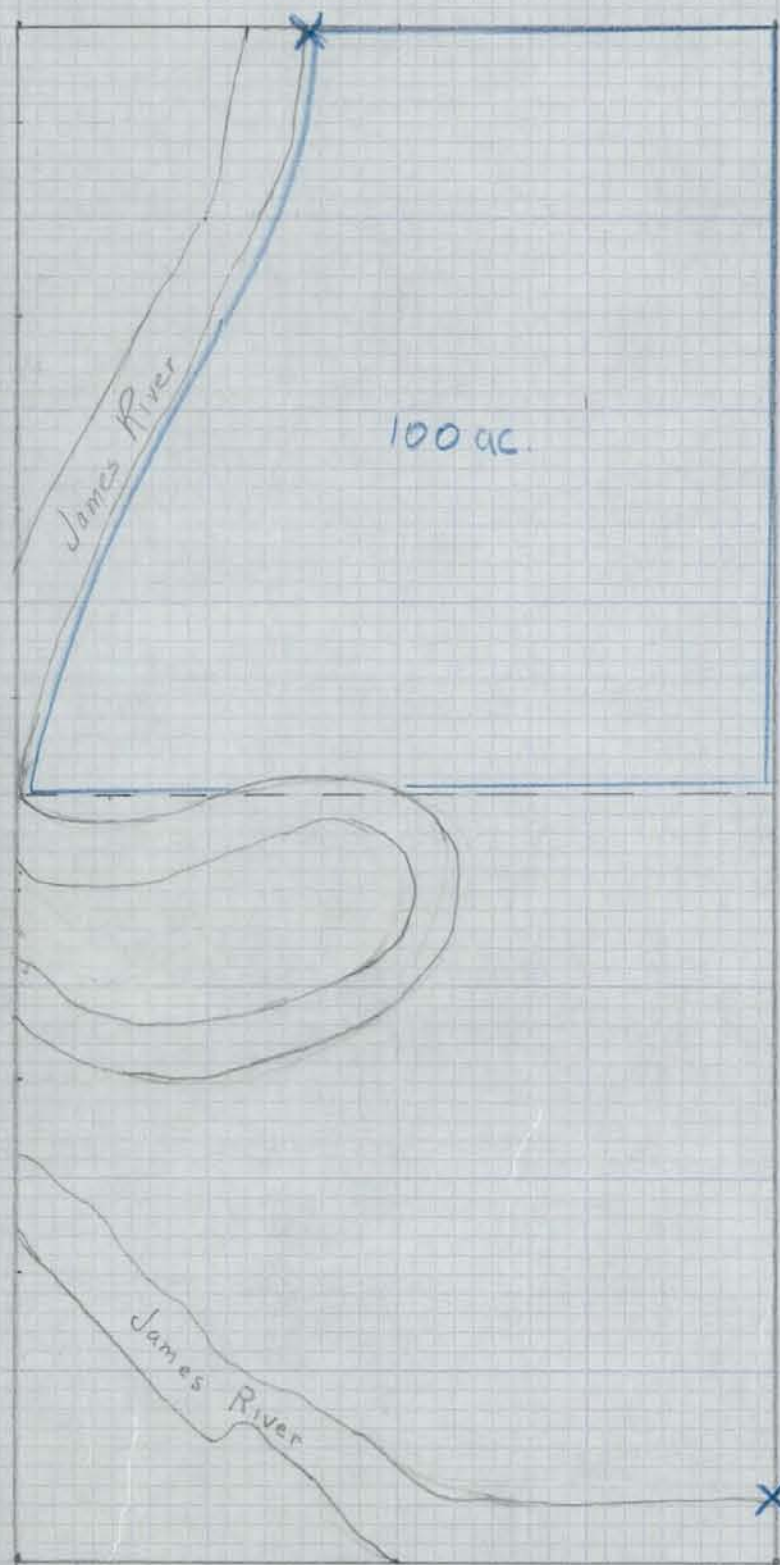
If you have any questions, please contact me.

Sincerely,

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

BY DP DATE 19 Sept '75 SUBJECT Huron Colony
CHKD. BY Rich Fadyen N

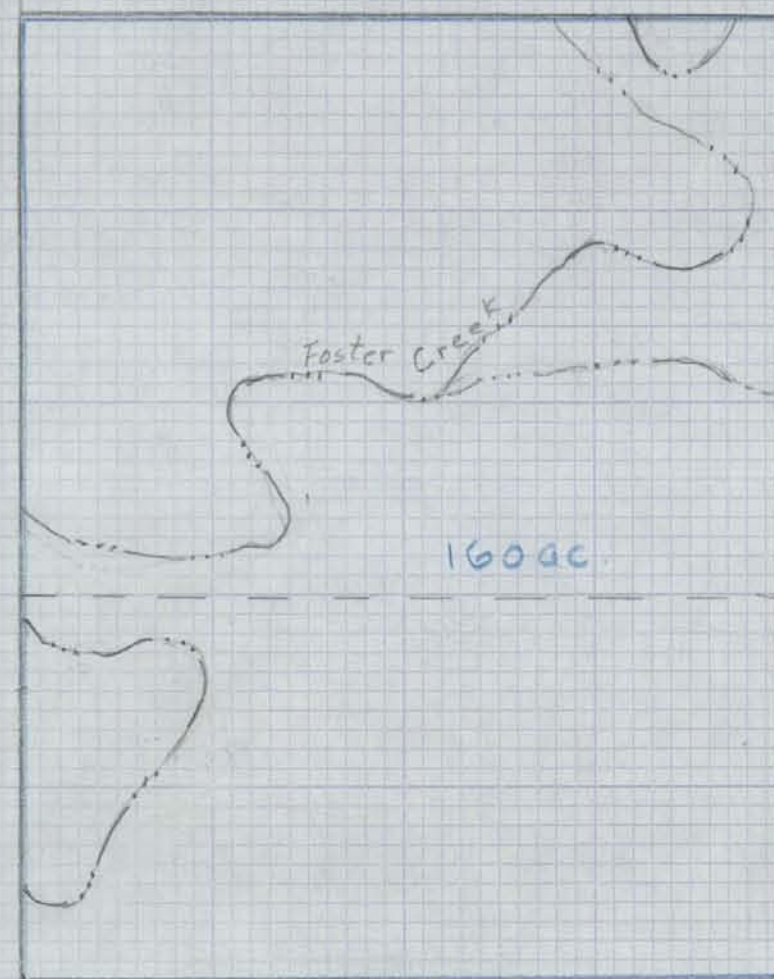
SHEET NO. _____ OF _____
JOB NO. _____



100 ac.

Multiple points
along river bank

E $\frac{1}{2}$ -25-113-62



160 ac.

SE $\frac{1}{4}$ + S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ -29-113-61

Map drawn at W $\frac{1}{2}$ -29 whereas
buy doc is for E $\frac{1}{2}$, the CP
is in SE $\frac{1}{4}$ of 29.

See Area map in folder

SE $\frac{1}{4}$ -29-11

MAP NO. 1767-3 APPL NO. 2390-3

2027

(78.4)

24.7

N

178-174 L

(100.2)

(29.1)

29.1

85.1

14.2

29

20.4

20.4

22.2

100.7

123.3

60.8

4

85

8.5

11.0

11.0

113-61

29

32

69.2

Huron Colony

80.7

45

14.3

79.0

32

178-174 L

44.2

44.2

7.0

80

James Kleinsasser

4

113-61

17.4

17.4

Ron Duvall
Natural Resources Eng.

4/25/85

License No 2390-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 26, 2006

NOTICE OF SHUTOFF ORDER

TO: JIM J WALDNER , HURON COLONY
40068 HURON COLONY LANE
HURON SD 57350

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: James River Shutoff Order

Shutoff Order for Water Right No(s). 2390-3

To protect the senior priority water rights and domestic use, the department is issuing shutoff orders to water right holders on the James River above Huron. Effective immediately, no diversions of water from the James River will be allowed for those permits with a priority date after January 1, 1975. Previous to this Order, diversions requiring written order from the Chief Engineer to divert James River water after July 1, have not been allowed.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. The Huron gage is below 20 cubic feet per second, the required bypass for downstream domestic use. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Lynn Beck or Mark Rath with the Water Rights Program at (605) 773-3352. Thank you.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 17 2007

2390-3
2390A-3

Sam Waldner
Huron Colony
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Waldner:

Enclosed is Water License No. 2390A-3. Also included is a map prepared by the staff engineer who conducted the field investigation. Water License No. 2390A-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Right No. 2390-3 were incorporated into Water License No. 2390A-3.