

2474-3

1. Considered 1-22, 19 76
2. Name of Applicant JESSICA McINERNEY
3. Post Office Address SIOUX FALLS
4. Amount of water claimed 2.00
5. Source of water supply GROUND WATER (100' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 140
7. Water to be diverted and used in Union county
about 1/2N 1/2E miles of ELK POINT
8. Proof of Publication
Received 1-5-76
Not received
9. Application
Approved
Subject to
Not Approved
Action deferred
10. Remarks:

Form 2 - Application for Permit to Appropriate Water - Original (Includes Approval and Permit)

No. 2474-3

Map No. 1849-3 Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be filled by the Engineer for the V. R. C.)

APPLICATION FOR PERMIT

DEC 1975

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Jessica M. Durney
Postoffice address 210 E 27th St, Sioux Falls, S.D. 57105
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment or others, or by direct labor) Contract
3. Name of diversion work M. Durney Diversion Project #1
4. Amount of water claimed (cubic feet per second) 2.0
5. Source of water supply Well
6. Location of point of diversion 1300' east x 1200' north of the SW corner of Sec 17 T91N R49W
County Union
7. Annual period or periods during which water is to be used June through September
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 1400.

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.
SW 1/4 Sec 17 T91N R49W			

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 Leader Courier Elk Point S.D. 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 \$ 10,000.00

Attachments: Attach Form 2A if diversion from a well or digout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Minnehaha)

I, Jessica McInerney 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 Jessica M. Durney, Applicant

Subscribed and sworn to before me this 8th day of December, 1975

M. A. Musco
Notary Public (or other qualified officer)

My commission expires March 31, 1983

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2474-3
JESSICA McINERNEY 210 E. 27TH ST. SIOUX FALLS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57105 With the following modifications:
 (State)

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 DECEMBER 9 1975
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application — 19—
 Approved JANUARY 23 1976 Recorded in Book 14 Page 230

WATER RIGHT PERMIT NO 2474.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2474.3 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 DECEMBER 9 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23 1978
3. The whole of said work is to be completed on or before JANUARY 23 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23 1981
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 2.0 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 JANUARY 23 1981; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 30TH day of JANUARY 1976

WATER RIGHTS COMMISSION

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3 1978

Water License Issued FEBRUARY 3 1978

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 100'
- (2) Casing, Type Iron pipe, Diameter 1 1/2" ID, Thickness 3/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/8" 5/16" slot, Diameter 1 1/2" ID, Length 30'
- (4) Gravel Pack, Thickness 6-9", Length of gravel pack 30+ 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 Soil 6' Sand 6'-20' Gravel
20-52' Rock 52' to 105'

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 75'

Depth to water (ground surface to water level) 14' Drawdown

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

On same owner's property None ds. On property owned by others 150 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.

Jermaine Sweeney, Jr.
Signature of Applicant

Permit No. 2474-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jessica McInerny

the holder of
Permit No. 2474-3, issued upon Application No. 2474-3, hearing date of priority of December 9,
1975 authorizing the diversion of 2.0 cu. ft. per second of the waters of
ground water County of Union, State of South Dakota at
a point 1300'N and 1300'E of the SW corner, Section 17, T21N, R49W

, for Irrigation

purposes, has complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.12 cu. ft. per second of water.

Date February 3, 1978

By:

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2474-3

(1) WHEREAS, On the 9th day of December A. D. 19 75
Jessica McInerney

made Water Right Application No. 2474-3 for a permit to use 2.0 cubic feet per second of the waters
of ground water

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

(2) WHEREAS, On the 30th day of January A. D. 19 81

Permit No. 2474-3, with a date of priority of December 9, 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 23rd day of January A. D. 19 81 and for the
application to beneficial use of said water on or before the 23rd day of January A. D. 19 81

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 1.9 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 a 132 acre circle in the SW $\frac{1}{4}$, Section 17, T91N, R49W

(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 Jessica McInerney

of Sioux Falls
the holder _____ and owner _____ of said permit No. 2474-3 a water right, dating from December 9, 1975
to use of 1.9 cubic feet per second of the waters
of ground water

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 1300'N and 1300'E of the SW
corner, Section 17, T91N, R49W

and conduct to and upon a 132 acre circle in the SW 1/4 Section 17, T91N, R49W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2474-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of February A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

CONSERVATION
COMMISSION
WI-11

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED WELL IRRIGATION ONLY)

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED [Signature]

DISAPPROVED _____

NAME Jessica McJannet

ADDRESS 210 E 27th St. Sioux Falls, SD 57104

COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION 1370' North & 1200' East of the SW Corner of Sec 12
T21N R20W
2. AREA TO BE IRRIGATED SW 1/4 Sec 12 T21N R20W

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Sprinkler/Pivot
4. CROPS TO BE IRRIGATED Barley & Beans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE 0-2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION neop. mol. loess, not too hard to till, hard
soils with moderately heavy subsoils.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 175-1065
8. SALINITY EC = 1579 μ mhos/cm (high)
9. SODIUM SAR = 1.19 (low)

I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:
THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Jessica M. Smerny

SUBSCRIBED AND SWORN BEFORE ME THIS

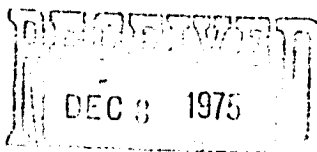
10TH DAY OF October, 1975.

M. A. Musco

Notary Public

(TITLE)

Notary Public
My Commission Expires
March 31, 1983



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

Submitted by: Jessica McInery
 Address: 210 E. 27th St.
Sioux Falls, SD 57201

Date Rec'd November 13, 1975
 Sample No. 75-1065
 Identification # 1-1011-
SWI, Sec. 17, T. 91N, R. 49E

WATER ANALYSIS

Calcium (Ca)	210	ppm*	10.50	me/l**
Magnesium (Mg)	69	ppm	5.66	me/l
Sodium (Na)	78	ppm	3.39	me/l
Potassium (K)	18	ppm	0.16	me/l
Sulfate (SO ₄)	422	ppm	8.73	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.22	me/l
Bicarbonate (HCO ₃)	537	ppm	8.90	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)	440	ppm (as CaCO ₃)		
Alkalinity (Perolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1579	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.19			
Sodium	16.95	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.36			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

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

COMMENTS:	Total cations	20.60	me/l
	Total anions	17.80	me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$6.00 PAID
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	

Sample No. 75-1065

Amount Enclosed \$

Signed

Publish first publication, on or before January 8, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

~~December 12~~, 1975

It is hereby given that Jessica Mc Inerny
whose post office address is Blountville, 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

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

Mc Inerny No. 1, the point of diversion of which is to be located in the _____

NE 1/4 SW 1/4

of Section 17, Twp. 91N, Range 19W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW 1/4, Section 17, T91N, R49W

This application No. 2474-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 22nd day of January, 1976, at 2:30 PM M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc: Jessica Mc Inerny

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E 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 EIK Point

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

December 25, 1975

January 1, 1976

Lester E Emerson
(Signature)

Publisher
(Title)

January 2, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 12, 1975

Notice is hereby given that
Jessica McInerny, whose post off-
ice address is Sioux Falls, 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 2.0 cubic feet of
water per second of time from
the ground water through the Mc-
Inerny No. 21 the point of diver-
sion of which is to be located in
the NE 1/4 SW 1/4 of Section 17, Twp.
91N, Range 49W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land, SW 1/4,
Section 17, T91N, R49W.
This application No. 2474-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 22nd day
of January, 1976, at 2:30 p. m.
All interested persons may app-
ear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones

Water Rights Specialist

Publish: Dec. 25, Jan. 1, 1976

Form 17 - Tri-Minutal of Water License

No. 2474-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Jon Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

February 10, 1978

Jessica McInerny
210 E. 27th Street
Sioux Falls, SD 57101

Dear Ms. McInerny:

Enclosed herewith are, Water License No. 2474-3 and Certificate of Construction.

Water License No. 2474-3 is the final water right document completing your process of obtaining water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH:gy

Enclosures

NOTE: Your pump capacity is 2.12 cfs (952 gpm). Based upon the acreage actually irrigated you are entitled to only divert 1.9 cfs (853 gpm). Any diversion in excess of 1.9 cfs would be a violation of your water right.

Permit No. 2474-3Water Division 3 Big Sioux River Water DistrictREPORT 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 Jessica
McInerney of 210 E 27th St, Sioux Falls, S.D. 57105 holder
of Permit No. 2474-3, bearing date of priority of December 9, 1975
authorizing the diversion of 2.0 cu. ft. per second of the waters of Ground.
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:

Motor U.S. Electrical ID # R2842-02-A1-606 R7089726
75HP, 1770 RPM

Pump: Western Land Roller Ser # E 75489 Head 8M. 5' 12" H.
Pumping 950 GPM

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

8" dia. Aluminum Pipe

C. Works used to apply water to beneficial use.

Electroqator Center Pivot - Model 2 6E5C
Ser # 71752800

The system is in the following condition: Excellent

The point of diversion is located 1300 ft North and 1300 ft East of the SW
Corner of Section 17, T91N R49W

The works are capable of diverting and conveying to the place of use 2.12cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Section 17, T91N R49W

NW 1/4 SW 1/4 - 33.0 Ac. NE 1/4 SW 1/4 - 33.0 Ac. SW 1/4 SW 1/4 - 33.0 Ac
SE 1/4 SW 1/4 - 33.0 Ac.

comprising a total of 132 acres of land.

Well data:

Depth 105 ft

Pumping 950 GPM

Date May 31, 1977

L. Roy J. Merrough
(Signature)

2475-3
~~2474-3~~
1291-3
1088-3

623 East Capitol
Pierre, South Dakota 57501 WATER RIGHTS DIVISION

(605) 773-3352

November 29, 1982

Marimac Incorporated
210 E. 27th Street
Sioux Falls, South Dakota 57105

Dear Sirs:

This letter is in reference to Water Right Nos. 1088-3, 1291-3, 2474-3 and 2475-3 listed in the name of Jessica McInerney. Enclosed are copies of each of these water rights.

On November 24, 1982 Mrs. Darmon Staum of Elk Point was contacted concerning an irrigation questionnaire they had returned for Mrs. McInerney. Mrs. Staum indicated that Mrs. McInerney had deceased and that the land was now owned by Marimac Incorporated.

In order to keep our records up-to-date, it will be necessary for you to file a Notice of Transfer for each of the water rights. Enclosed please find partially completed transfer forms which should be checked over, dated, signed and notarized before returning them to this office with a \$2.50 filing fee for each, (total of \$10.00). The water rights can then be transferred to Marimac Incorporated.

If you have operators for each of the farms, and would like our yearly irrigation questionnaire sent directly to each of the operators, please include their name and addresses with the transfer forms. This information can be written on the bottom of the transfer form pertaining to the appropriate water right, or written on separate sheets.

If you have any questions, please advise.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ms
Enc.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

December 7, 1982

1088-3

1291-3

2474-3

2475-3

Marimac, Inc.
210 E 27 St
Sioux Falls SD 57105

Dear Sir:

Enclosed are receipts No. 4 9050 thru 4 9053 in the amounts of \$2.50 each which you paid for the transfer of Water Right Nos. 1088-3, 1291-3, 2474-3 and 2475-3.

Our records now show you as the owner of these Water Rights. The irrigation questionnaires will be sent to the people indicated on each transfer form.

Sincerely,

KAREN SCHLAAK
Administrative Secretary

enclosures

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-2-82

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

132 acres SW 1/4 Section 17, T91N, R49W

formerly owned by Jessica McInerny

has been transferred to Marimar, Inc., 210 E 27th Street, Sioux Falls, SD 57105
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2474-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Minnehaha) ss.

I, Marimar, Inc. by Mark Davidson, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Marimar, Inc. by Mark Davidson, Sec.
(Signed)

Subscribed and sworn to before me this 2nd Day of December, 1982.

Mark E. Davidson
(Notary Public)

My commission expires on
October 2, 1983



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 9051

PIERRE, December 2, 1928

RECEIVED OF Harlmac, Inc., 210 E. 27th Street, Sioux Falls, SD 57105

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.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing Transfer of WR# 2474-3	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By J. L. R. R.
Chief Engineer, Executive Officer
JOHN HATBORG

Dear Sir,

Marine Inc. as I have not received
the 1986 well Permit ^{By} Permit No. 2474-3
as yet.

Thomas J. Hanson Tenant
R1-Box 113
Felt Point S.D.
57025



Marine Inc.
76 Milk Gulch

Sioux Falls
S.D.

1/21/87 called Thomas Hanson (356-2830) regarding questionnaire.
indicated the 1986 ICR had been sent to Gary Hanson as
operator. Mr. Hanson stated Gary moved to Washington
and will not be operating it anymore. Send ques. to
Thomas Hanson.

2474-3



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

GARY HANSON, OPERATOR
RR #1 BOX 113
ELK POINT SD 57025

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1291-3 & 2474-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1291-3 & 2474-3 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 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Ron Duvall', is written over the 'Very truly yours,' text.

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

cc: Marimac Inc., 210 E 27th, Sioux Falls, SD 57105



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

February 19, 1992

1291-3
2474-3

Gary Hanson
RR #2 Box 224
Elk Point, SD 57025

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 1291-3 and 2474-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

The carbon copy of the January 27, 1992 notice mailed to Marimac Inc, 210 E 27th St, Sioux Falls, SD was returned to our office by the post office. Do they still own the land you operate? If so, please send us an updated mailing address for them. I have enclosed a postage paid envelope for your reply. If you have any questions, please contact me at (605) 773-2352.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



2474-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

GARY HANSON, OPERATOR
RR #2 BOX 224
ELK POINT SD 57025

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1291-3 & 2474-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1291-3 & 2474-3 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 on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

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

cc: Marimac Inc., 210 E 27th, Sioux Falls, SD 57105



2474-3

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

March 9, 1994

NOTICE

TO: GARY HANSON, OPERATOR
RR #2 BOX 224
ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: , 1291-3 & 2474-3

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
 2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
 5338-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
 1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
 4773-3 & 1820-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
 180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
 1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
 1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
 417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
 540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
 1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
 792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
 4693-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
 2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
 1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
 1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
 1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
 2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
 526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
 1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
 3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
 1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
 407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
 4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
 5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
 2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
 4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
 5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
 475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
 951-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

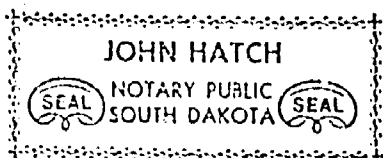
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Golliher, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

2474-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 21, 1994

1291-3

2474-3

Gary Hanson, operator
RR #2 Box 224
Elk Point, SD 57025

Dear Mr. Hanson:

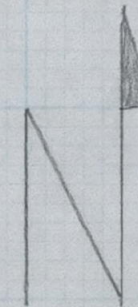
I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.

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

if you have any questions, please contact me.

Sincerely,

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



Date		Approved by: <i>S. K. Dahlgren</i>	
Designed: <i>C. K. Dahlgren</i>	<i>12-2-75</i>	Title: <i>Dist. Construction</i>	
Drawn: <i>C. K. Dahlgren</i>	<i>12-2-75</i>	Title:	
Traced		Sheet No. <i>1</i>	Drawing No.
Checked		of <i>1</i>	