

recorded
May 18, 1976

C11

135' 12" Oiled 20 ft. down

Large bucket Venti line Pump 5-10 REM

Powered by 50+HP V8 Gasoline Motor

1100' 6" V.R. to surface of foot

5 tons Zimmerman Low pressure pump

Pumps @ 550 GPM Model 307

Serial # 108859

2478-3 DAVID GRONER
SOUTH SHORE, S.
12-15-76

- 2478-3
1. Considered 1-22, 1976
 2. Name of Applicant DAVID GREG EBERG
 3. Post Office Address SOUTH SHORE
 4. Amount of water claimed 1.8
 5. Source of water supply GROUND WATER & SLOUGH (85' DEEP WELL)
 6. Water to be used for IRRIGATION
Acres to be irrigated 129
 7. Water to be diverted used in GRANT county
about 3 N miles of SOUTH SHORE
 8. Proof of Publication
Received 1-8-76
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

Form No. 1853-3 Water Division No. 3 Big Sioux River District
(Blank to be filled by the Engineer for the W. R. C.)
No. 2478-3

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

- Name of Applicant David Greenberg
Postoffice address South Shore, State South Dakota
If a corporation show date and place of incorporation N. A.
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
- Name of diversion work David Greenberg Irrigation Project # 2
- Amount of water claimed (cubic feet per second) 1.8
- Source of water supply Well & Slough
- Location of point of diversion 1550' N 42° E + 26 20' N 43° E at SW corner
Sec 35-120-51
County Grant
- Annual period or periods during which water is to be used April through October
- Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 129

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 of NW 1/4 Sec 35-120-51	4	NW 1/4 of SW 1/4 Sec 35-120-51	35
		NE 1/4 of SW 1/4 Sec 35	13
		SW 1/4 of SW 1/4 Sec 35	39
		SE 1/4 of SW 1/4 Sec 35	38

Attach sheet if more space is needed

- Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use 4 or 22 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Grant County Herald
- Principal Features of the Proposed Water Supply System.

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

Electrically driven deep well turbine on well plus a centrifugal pump on bank of slough

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

open & conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machine

Estimated Total Cost \$ 45,000

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

STATE OF SOUTH DAKOTA

County of Grant

I, David Greenberg, 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 David Greenberg

Subscribed and sworn to before me this 17 day of Nov 1975

John L. Williams
Notary Public for South Dakota

P. O. # 1916

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2478-3
DAVID GRONEBERG SOUTH SHORE
 (Applicant) (Post Office Address)

SOUTH DAKOTA 57263 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 15 19 75
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved JANUARY 23 19 76 Recorded in Book 14 Page 234

WATER RIGHT PERMIT NO. 2478-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2478-3 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 15 19 75 *called 4-25-78*
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23 19 78 *before 9-1-78*
3. The whole of said work is to be completed on or before JANUARY 23 19 81 *but well all in before*
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23 19 84 *end of year 1984*
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 1.8 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 19 84 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 30TH day of JANUARY 19 76

WATER RESOURCES COMMISSION

By:

John H. Hill
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 24", Depth 185'
 (2) Casing, Type Steel Diameter 14" Thickness 3/16"
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Continuous slot, Diameter 14", Length 20'
 (4) Gravel Pack, Thickness 5", Length of gravel pack 30'

E. Dugout Information or Estimates.

(1) Surface dimensions N.A., Depth N.A.

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0-17' - top material; 17'-45'
sand and gravel; 45' to 65' clay - 65' to 185' gravel
185' + clay

Depth to top of water bearing material 17'
 Depth to bottom of water bearing material 185'
 Thickness of water bearing material 45'
 Depth to water (ground surface to water level) 17'

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

On same owner's property No supply rds. On property owned by others 320 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.

David Gronberg
 Signature of Applicant

December 2, 1975

Mr. David Goneberg
South Shore, SD 57263

Dear Mr. Goneberg:

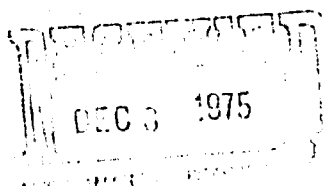
Enclosed please find the original copy of the report of analysis of water sample 875-1073. This is your copy; please keep it in a safe place. You will also find enclosed a copy of extension circular 654 with a water quality chart on the outside back cover. On this chart, I have inserted a red cross and indicated where your water sample falls in this nationally used water quality diagram. You will see it is medium in salinity (total salt content) but very low in sodium. Thus, it holds practically no hazard for use in irrigation. There should be no chemically-caused difficulty of either salt accumulation or sodium-induced soil dispersion as a result of use of this water.

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

Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
D. Pahl
Vern Beare, County Extension Agent



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: 10/5/2004

Disapproved: _____

NAME: Daniel Fonerberg
ADDRESS: South Shore S.D. 57263
COUNTY: Grant County

LEGAL DESCRIPTION

1. WELL LOCATION: SW⁹ of SW⁴ Sec 35 - 120 - 51
2. AREA TO BE IRRIGATED: S^{2/3} of SW⁴ of Sec 35 - 120 - 51

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: corn & alfalfa and wheat

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 - 3 %
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Nasby silt
loess with a bit of Yorman near the slope.

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 75-1073
8. SALINITY: EC = 479 μ mhos/cm (medium)
9. SODIUM: Sodium Absorption Ratio = 0.20 (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

An interpretation of Codington County soils map issued
and: in p. 466. This land is adjacent to section 2 on Range 33 of
this survey.

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

David Shuchery.

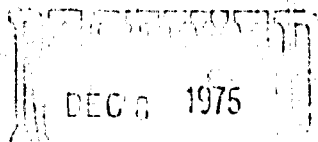
Subscribed and sworn before me this

17 day of Nov- 1975.

John L. Wierman.

P. E. H. 1916

(Title)



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

Submitted by: David Groneberg
 Address: Rt. 1, Box 7
South Shore, SD. 57263

Date Rec'd November 17, 1975
 Sample No. 75-1073
 Identification Cell
Box, Sec. 35, T. 120N, R. 51W

WATER ANALYSIS

Calcium (Ca)	72	ppm*	3.60	me/l**
Magnesium (Mg)	27	ppm	2.21	me/l
Sodium (Na)	8	ppm	0.34	me/l
Potassium (K)		ppm	0.09	me/l
Sulfate (SO ₄)	63	ppm	1.31	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO ₃)	283	ppm	4.64	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	232	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	479	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.20			
Sodium	5.44	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.77			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 6.24 me/l
 Total anions 6.01 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. 75-1073

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

No. 2478-3

Publish first publication, on or before January 8, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 16, 1975

Notice is hereby given that David Groneberg
whose post office address is South Shore, 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
1.8 cubic feet of water per second of time from the ground water & a slough (through the
Groneberg Irrigation Project #2, the point of diversion of which is to be located in the
from the well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and from the slough in the NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 35, Twp. 120N, Range 51W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, T120N, R51W

This application No. 2478-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 22nd day of January, 1976, at 2:30 P.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc: David Groneberg

Form 3 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 2478-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Lawrence P. Andersen, hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Milbank Herald Advance

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 _____ Milbank _____

County of Grant and State of South Dakota,
that the said notice was published in said newspaper on the following
_____ dates:

December 31, 1975

January 7, 1976

Lawrence P. Andersen
(Signature)

Publisher
(Title)

1-7-76
(Date Signed)

ANDERSEN
L. P.
J. Andersen

NOTICE
INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 16, 1975
Notice is hereby given that
David Groneberg, whose post
office address is South Shore,
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 1.8
cubic feet of water per second of
time from the ground water & a
slough through the Groneberg
Irrigation Project No. 12, the
points of diversion of which are to
be located from the well in the
SW 1/4, SW 1/4, and from the slough
in the NW 1/4, SW 1/4 of Section 35,
Twp. 120N, Range 51W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: SW 1/4, SW 1/4, NW 1/4, Section 35,
T120N, R51W, S. 12. This
application No. 2478-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 22nd day of
January, 1976, at 2:30 P.M. All
interested persons may appear
and be heard.
WATER RIGHTS
COMMISSION
By: BURTON F. JONES
Water Rights Specialist
Dec. 31, 1975, Jan. 7, 1976

RECEIVED
JAN 8 1976

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

Permit No. 2478-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by DAVID
GIRONBERG of SOUTH SHORE holder
of Permit No. 2478-3, bearing date of priority of DECEMBER 15, 1978
authorizing the diversion of 1.8 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in GRANT 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.

185' DEEP WELL WITH 14" STEEL CASING - 15' SS SCREEN
WESTERN LAND ROLLER 6" VERT LINE PUMP 5-10KWH
POWERED BY 50HP US ELECTRIC MOTOR

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

1100' OF 6" BURIED PVC TO CENTER OF PILOT

C. Works used to apply water to beneficial use.

5 TOWER ZIMMATIC LOW PRESSURE CENTER PILOT - MODEL 307
WITH NELSON #700 END EUN

The system is in the following condition: GOOD

The point of diversion is located 2080' E & 400' N OF THE SW CORNER,
SECTION 35, T120N, R51W

The works are capable of diverting and conveying to the place of use 1.22 (550GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Waters have been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 75 ACRE CIRCLE IN THE
SW⁴ SECTION 35, T120N, R51W

comprising a total of 75 acres of land.

INDICATES THIS LAND HAS BEEN
GOLD - WILL SEND TRANSFER FORMS
WHEN DEED IS COMPLETED SEND
TRANSFER FORM.

Date AUGUST 27, 1981

[Signature]
(Signature)

2478-3
3781-3

WATER RIGHTS DIVISION (605) 773-3352

May 21, 1982

David Groneberg
South Shore, South Dakota 57263

Dear Mr. Groneberg:

This letter is in regard to the status of Permit Nos. 2478-3 and 3781-3 listed in your name.

The inspection of the water use systems covered under Permit Nos. 2478-3, 3781-3 and 2223-3 was completed August 27, 1981. You were notified at that time that a \$50.00 fee was required before the permits could be issued a License. A fee for Permit No. 2223-3 will not be required as it is to be incorporated into Water License 3781-3.

You indicated at the time of inspection that the land had been sold, and as soon as the deal was completed, you would either notify this office as to the new owner(s) or would forward the transfer forms to the new owner. As of this date, we have not heard from you on this matter.

If the land sale has been completed, please notify this office as to who purchased the land. The new owners could then be contacted concerning the transfer and fees for inspection and issuance of the Water License.

Your assistance in this matter would be appreciated. Please advise.

Sincerely,

Garry Young
Water Rights Specialist

GY:ms

June, 17, 1982

Department of Water & Natural Resources
Pierre, So. Dak. 57501

Re: David Gronberg
Irrigation Permit No's 2478-3 3781-3

Enclosed \$50.00 fee for issuance of License

Land sale has been completed and new owners are:

Wiese Bros.
RR #1
Twin Brooks, So. Dak. 57269

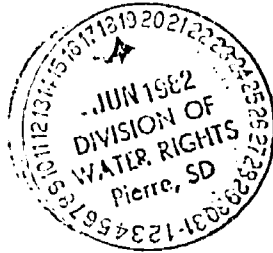
We are in need of transfer forms for ownership from David Gronberg
to Wiese Bros.

If \$50.00 fee is needed for each permit please notify us at the time
you send the transfer forms and we will forward it to you.

Sincerely:

Russell Wiese

Russell Wiese DBA Wiese Bros.





Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

June 21, 1982

2478-3
3781-3

Russell Wiese
RR #1
Twin Brooks SD 57269

Dear Mr. Wiese:

This will acknowledge the receipt of a \$50.00 filing fee for the issuance and inspection of Permit No. 2478-3. Another \$50.00 filing fee will be required for Permit No. 3781-3.

As you requested in your letter dated June 17, 1982, enclosed are two notice of transfer forms for transferring Permit No. 2478-3 and No. 3781-3 to Wiese Brothers. Please check over, date, sign and have notarized before returning them to this office with a \$2.50 filing fee for each one. (\$5.00 total).

The total amount due for the inspection and issuance of Water License No. 3781-3 and for the transfer of both permits is \$55.00. If you have any questions, please contact this office.

Sincerely,

GERRY YOUNG
Water Rights Specialist

GY:ks

NO.

JUL 1968
DIVISION OF
WATER RESOURCES
PETER, SD

Date:

SW $\frac{1}{4}$ Section 35, T120N, R51W

has been transferred to Wiese Brothers, RR #1, Twin Brooks SD 57269

Water Right Permit No. 2478-3

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)

1, Wiese Bros.

(Signed)

Barbara J. Clark
(Notary Public)

(Notary Public)

EVERLYN NELSON

WHR-220-7/75

Notice of Transfer of Water Permit

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8886

PIERRE, July 6, 1982

RECEIVED OF Wiese Bros, Twin Brooks SD 57269

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.....	2 50
Fee for filing transfer of Permit No. 2478-3	
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 *[Signature]*
Chief Engineer, Executive Officer
JGm. BACH (CS)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8863

PIERRE, June 18, 1932

RECEIVED OF David Groneberg, RR#1, Box 7, South Shore, SD 57263

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. 2478-3	50	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 2478-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *W. H. Hobbs*
Chief Engineer, Executive Officer
June 18, 1932

No. 2476-3

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

July 7, 1982

Wiese Brothers
Twin Brooks,
South Dakota 57269

Dear Sirs:

Enclosed herewith are, Water License No. 2476-3 and Certificate of Construction.

Water License No. 2476-3 is the final water right document completing your process of obtaining a 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
JOHN HATCH, Chief Engineer
Water Rights Division

JH: KS

enclosures

NOTE:: Our records now show Wiese Brothers as owners of this Water Permit.

cc: David Gronberg
& receipt in the amount of \$50.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2478-3

(1) WHEREAS, On the 15th day of December A. D. 19 75
David Gronberg

made Water Right Application No. 2478-3 for a permit to use 1.8 cubic feet per second of the waters of groundwater (one well)

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

(2) WHEREAS, On the 23rd day of January A. D. 19 76
Permit No. 2478-3, with a date of priority of December 15, 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 84

WHEREAS, on the 7th day of July 1982, Water Permit No. 2478-3 was transferred to Wiese Brothers, Twin Brooks, South Dakota,

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 1.07 cubic feet per second of water for beneficial use and,

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

for irrigating of 75 acre circle in the SW1/4, Section 35, T120N, R51W

(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, Wiese Brothers

_____ of Twin Brooks, South Dakota

the holder _____ and owner _____ of said permit No. 2478-3 a water right, dating from December 15, 1975

_____ to use of 1.07 cubic feet per second of the waters

of groundwater (one well)

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

purposes hereinbelow mentioned, to be diverted at a point 2080'E and 400'N of SW corner, Section

35, T120N, R51W

and conducted to and upon a 75 acre circle in the SW 1/4, Section 35, T120N, R51W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2478-3 and subject to the laws of the State of South Dakota.

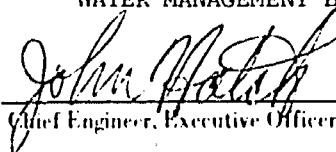
WITNESS, My hand and seal of our office at Pierre, South Dakota

this 7th day of July A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:


Chief Engineer, Executive Officer

JOHN HATCH

Permit No 2478-3

Water Diversion No. 3 Minnesota Whetstone Water District
07020001

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Wiese Brothers

_____ the holder _____ of
Permit No. 2478-3, issued upon Application No. 2478-3, bearing date of priority of December 15,
1975 authorizing the diversion of 1.80 cu. ft. per second of the waters of _____
groundwater (1 well) County of Grant, State of South Dakota at _____
a point 2080'E and 400'N of the SW corner, Section 35, T120N, R51W

_____, 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 1.22 cu. ft. per second of water.

Date July 7, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

TWIN BROOKS ALFALFA MILL, INC.

Processor of Alfalfa Pellets

P.O. Box 10
TWIN BROOKS, SD 57269

PHONE 605-432-4235

11/30/83

Water Management Board

Re: Did not receive Water Sheet for reporting
1983 Groundwater for Permit "

2475 - 3

3751-3

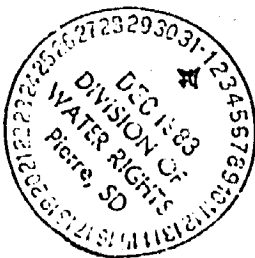
2223-3

Sincerely:

Wine Brass by 12.

P.O. Box 10

Linn. Brach. L. O. 57269





Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

December 2, 1983

2478-3
3781-3

Wiese Brothers
PO Box 10
Twin Brooks SD 57269

Dear Sirs:

In reference to your letter dated November 30, 1983 indicating you had not received 1983 Irrigation Questionnaires for Water Right Nos. 2478-3, 2223-3 and 3781-3 enclosed are the appropriate forms.

Water Right Nos. 2223-3 was incorporated into Water Right No. 3781-3 upon licensing. Therefore, a questionnaire will not need to be filled out for No. 2223-3.

I apologize for not getting all of the data sheets to you earlier. If you have any questions, please advise.

Sincerely,

GENNY HCMATH
Natural Resources Engineer

GM.ks

enclosures

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

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

November 21, 1986

2478-3

3781-3

David Groneberg
South Shore,
South Dakota 57263

Dear Mr. Groneberg:

The 1986 irrigation questionnaire returned by Wiese Brothers of Twin Brooks indicated Water Right Nos. 2478-3 and 3781-3 should be transferred to you. I have enclosed partially completed transfer forms.

Please check over the forms, complete by signing in the presence of a notary and return them to our office. A \$2.50 filing fee for each transfer is required (total \$5.00). The filing fees should accompany the completed transfer forms to our office.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

I have also enclosed the 1986 irrigation questionnaires for you to complete. These should be completed and returned to us by December 31, 1986.

If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

GM:ks

enclosures



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

2478-3
3781-3

December 18, 1986

David Groneberg
RR 1, Box 7
South Shore, South Dakota 57263

Dear Mr. Groneberg:

This letter will acknowledge receipt of the 1986 Irrigation Questionnaires for Water Right Nos. 2478-3 and 3781-3, and also the "Notice of Transfer" for each.

The transfers can not be completed without the required filing fees of \$2.50 each (total of \$5.00). Upon receipt of the \$5.00 filing fees from you, Water Right Nos. 2478-3 and 3781-3 can be transferred from Wiese Brothers to you.

If you have any questions, please contact our office.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Dec. 8-86

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

SW $\frac{1}{4}$ Section 35, T120N, R51W

formerly owned by Wiese Brothers

has been transferred to David Groneberg, South Shore SD RR#1 Box 7
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2478-3 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 Div. 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)
) ss.
County of Codington)

I, DAVID GRONEBERG 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.

David Groneberg
(Signed)

Subscribed and sworn to before me this 8th Day of December, 19 86.

Doris A. Stusiak
(Notary Public)

Doris A. Stusiak,
State of South Dakota

My Commission Expires:
March 19, 1991

(SEAL)

WNR-820-9/83
Notice of Transfer of Water Permit



RECEIPT

Division of Water Rights

410701

South Dakota Department of Water and Natural Resources

Pierre, January 12, 1987, 19

RECEIVED OF David Groneberg, R# 1, Box 7, South Shore, SD 57263

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2472-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (MS)

2478-3

WATER RIGHTS DIVISION
(605) 773-3352

January 14, 1967

David Groneberg
RR 1, Box 7
South Shore, South Dakota 57263

Dear Mr. Groneberg:

Enclosed are receipt Nos. 410701 and 410702 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 2478-3 and 3781-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



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

October 21, 1987

2478-3
3781-3

James D Arthur
RR #1 Box 56
Clark, SD 57225

Dear Mr. Arthur:

David Gronberg, South Shore has notified our office that you now own the land covered under Water Right Nos. 2478-3 and 3781-3. I have enclosed a copy of these water rights for your records.

In order for the water rights to be changed over to your name, it will be necessary for you to file a "Notice of Transfer" with our office for each. Enclosed are partially completed transfer forms. Please check over the forms, sign and have them notarized. Upon completion of these forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Also enclosed are the 1987 Irrigation Water Use Questionnaires and a postage paid return envelope. These forms are for use in reporting any irrigation done on the lands during 1987. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire to be submitted each year. Please complete the enclosed questionnaires as accurately as possible and return them by November 30, 1987.

If you have any questions, or need assistance in completing the transfer forms or irrigation questionnaires, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl



Department of Water & Natural Resources

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

May 4, 1988

Second Notice
Permit Nos. 3781-3
2478-3
2333-3

James Arthur
RR #1 Box 56
Clark, SD 57225

Dear Mr. Arthur:

On October 1, 1987, notice was sent to you concerning the transfer of Water Right No. 2333-3 listed in the name of Richard and Michael Makens. The water right authorizes irrigation of 500 acres in Section 34, T120N, R51W. On October 21, 1987, notice was sent to you concerning the transfer of Water Right Nos. 3781-3 and 2478-3 in the name of David Groneberg which covers irrigation of lands in the NE 1/4 Section 3, NW 1/4 Section 2, T119N, R51W and the SW 1/4 Section 35, T120N, R51W. To date, we have not heard from you regarding these transfers.

Enclosed are partially completed transfer forms. Please sign, have notarized and return them to this office with a required filing fee of \$2.50 each (total of \$7.50). The water rights can then be transferred to your name. If you are not the present owner of the land covered under Water Right Nos. 2333-3, 2478-3 and 3781-3, please notify our office. It is very important that ownership records be kept current.

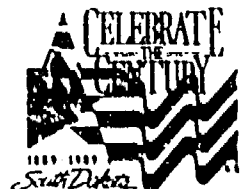
South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,

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

enclosures





Department of Water & Natural Resources

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

2333-3
2478-3
3781-3

September 7, 1988

Jim Arthur
RR #1 Box 56
Clark, SD 57225

Dear Mr. Arthur:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 2333-3, 2478-3 and 3781-3. The forms should be checked over and signed in the presence of a notary public by the owner of the land. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 for each (total of \$7.50). The water rights will then be transferred to the proper name(s).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

I checked through our files, after your last visit to our office, and could not find that these transfers were already filed. If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



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

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

November 21, 1988

3781-3
2478-3
2333-3

John & Joe Arthur
HR #1 Box 56
Clark, SD 57225

Dear Sirs:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 3781-3, 2478-3 and 2333-3. Water Right Nos. 3781-3 and 2478-3 are currently listed in the name of David Groneberg. Water Right No. 2333-3 is listed in the names of Richard and Michael Maken.

Please complete the forms and sign them in the presence of a notary public. Upon completion, return the transfer forms to our office with a required filing fee of \$2.50 each (total of \$7.50). The water rights will be transferred to your names upon receipt of the completed forms and filing fees in our office.

If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures





Department of Water & Natural Resources

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

February 6, 1989

2478-3
2333-3
3781-3

Joe & John Arthur
RR #1 Box 7
South Shore, SD 57263

Dear Sirs:

I am writing to you in response to the 1988 irrigation questionnaires you submitted to our office for Water Right Nos. 2333-3, 2478-3 and 3781-3. You indicated on the forms that there is an ownership and address change.

We are aware that the water rights need to be transferred and have sent several transfer forms to James Arthur for use in filing the ownership changes. To date, we have not received the forms.

Enclosed is an additional set of partially completed "Notice of Transfer" forms. Please check them over, sign in the presence of a notary and return the forms to our office. A \$2.50 filing fee is required for filing each transfer.

Please submit a total of \$7.50 when returning the transfer forms. Upon receipt of the completed forms and filing fees, Water Right Nos. 2333-3, 2478-3 and 3781-3 will be transferred to you.

If you have any questions, please contact me.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



#2333-3

#2478-3

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

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

February 17, 1989

James Arthur, Operator
RR 1, Box 56
Clark, SD 57225

Dear Mr. Arthur:

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

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

The new standards include:

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

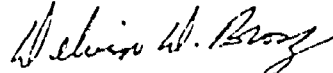


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

September 14, 1989

2333-3
2478-3
3781-3

John & Joe Arthur
RR #1 Box 56
Clark, SD 57225

Dear Sirs:

In response to a telephone conversation with Mrs. Joe Arthur, September 13, 1989, enclosed are additional transfer forms for use in filing ownership changes on Water Right Nos. 2333-3, 2478-3 and 3781-3.

The forms should be completed, and then signed in the presence of a notary. Upon completion of the forms, return them to us with a \$2.50 filing fee for each (total of \$7.50).

In order for the 1989 irrigation questionnaires to be mailed to you, as the "owner(s)", the enclosed transfer forms and filing fees must be submitted to our office no later than September 29, 1989. If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412001

Pierre, December 20, 1920

RECEIVED OF Joe Arthur, RR 1, Box 12, Garden City SD 57236

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ for Permit No. <u>2470-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

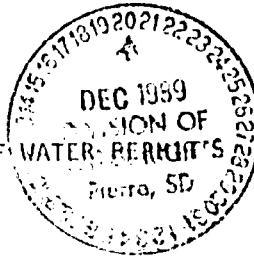
By

Chief Engineer

JOHN HATCH

ks

NO. 2478-3



NOTICE OF TRANSFER OF WATER PERMIT'S

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 2-10-89

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

75 acres - SW 1/4 Section 35, T120N, R51W

formerly owned by David Groneberg

has been transferred to Joe & John Arthur Rt 1 Box 2 South Shore So. Dak
(please include complete mailing address) 57263
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2478-3 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 Div. of Water Rights, Water Management Board as evidence of the change of ownership.

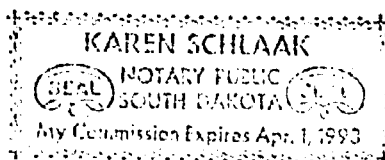
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Grant) ss.

I, Joe Arthur being first duly sworn on my oath despose 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.

Joe Arthur
(Signed)

Subscribed and sworn to before me this 10th Day of December, 1989.



Karen Schlaak
(Notary Public)

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

JOE, JOHN ARTHUR
RR1 BOX 56
CLARK SD 57225

2478-3

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

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 2333-3; 2478-3; & 3781-3;

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 2333-3; 2478-3; & 3781-3;. The request for the chemigation report(s) was dated January 4, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of 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 South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 2333-3; 2478-3; & 3781-3; until either the 1990 chemigation report(s) is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th 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.



22/78-3

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

February 8, 1991

JOE, JOHN ARTHUR
RR1 BOX 56
CLARK SD 57225

Dear Mr. Arthur:

I am writing to acknowledge receipt of your 1990 chemigation report for Water Right No.(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3. You may disregard the February 1, 1991, Notice of failure to report chemical use for 1990. With receipt of the chemigation report, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall,
Natural Resources Engineer IV
Water Rights Division



February 16, 1994

JOE & JOHN ARTHUR
RR #1 BOX 7
SOUTH SHORE SD 57263

2478-3

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

NOTICE

RE: Violation of Water Permit No(s) 2478-3 & 3781-3, 2333-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2478-3 & 3781-3, 2333-3. The request for the Questionnaires 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 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) 2478-3 & 3781-3 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) 2333-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, 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. 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) 2333-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



2478-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

NOTICE

TO: JOE, JOHN ARTHUR
RR1 BOX 56
CLARK, SD 57225

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3;
3781-3; 5382-3;

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3; 5382-3;. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2333-3; 2478-3; 3781-3; 5382-3; in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to April 1, 1994, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



2478-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 23, 1994

2333-3

2478-3

3781-3

Joe Arthur
RR #1 Box 7
South Shore, SD 57263

Dear Mr. Arthur:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires and chemical reporting forms for Water Permit Nos. 2333-3, 2478-3 and 3781-3. You may disregard the February 16, 1994, Notice of Violation of Water Permits and 1993 Irrigation Questionnaire Requirements and also the Notice of Failure to Report Chemical Use.

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

Note: We still have not received a 1993 irrigation questionnaire and chemical reporting form for Water Permit No. 5382-3 (listed under Joe & John Arthur)



2478-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-2181

February 7, 1995

JOE/JOHN ARTHUR
RR 1 BOX 7
SOUTH SHORE SD 57263

NOTICE

RE: Violation of Water Permit No(s) 2478-3 & 3781-3, 2333-3 & 5382-3 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2478-3 & 3781-3, 2333-3 & 5382-3. The request for the Questionnaires was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S. 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. 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

NOTICE

TO: JOE, JOHN ARTHUR
RR1 BOX 7
SOUTH SHORE, SD 57263

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3;
3781-3; 5382-3

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A was dated November 3, 1994. Our records indicate that we have not received the 1994 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3; 5382-3. The Water Management Board has directed that owners of water permits who have not submitted the 1994 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 8, 1995, in the Crown Room, 3RD Floor, Kings Inn Best Western Convention Center, 220 South Pierre Street, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2333-3; 2478-3; 3781-3; 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to March 3, 1995, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 3, 1995, you will no longer be in violation and your name will be deleted from the Board agenda.

2478-3



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

March 21, 1995

2333-3 2478-3
3781-3 5382-3

Joe Arthur
PO Box 578
South Shore, SD 57263

Dear Mr. Arthur:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires and chemical reporting forms. You may disregard the February 7, 1995, Notice of Violation of Water Permit and the Requirements to Submit the 1994 Irrigation Questionnaires and also the Notice of Failure to Report Chemical Use.

The questionnaires and chemical reporting forms were received in our office prior to the Water Management Board meeting and your name was deleted from the agenda.

Your water permits or rights are currently listed in the name of Joe and John Arthur. You made notations on a couple of your irrigation questionnaires changing the address from RR #1 Box 7 to Post Office Box 578, South Shore. The addresses have been changed, however, I was not able to determine from your notes whether the water rights should be transferred from Joe and John Arthur to Joe Arthur or whether you were only making an address change.

If you want the actual names on the water rights/permits to change, I will need to send you forms for use in filing an ownership change. These forms are available upon request.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Conny McMath'.

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



2478x3

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

January 30, 1996

NOTICE**TO:** JOE/JOHN ARTHUR, PO BOX 578. SOUTH SHORE, SD 57263 0578**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Violation of Water Permit No(s) 2333-3, 2478-3, 3781-3 & 5382-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2333-3, 2478-3, 3781-3 & 5382-3. 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) 2478-3, 3781-3 & 5382-3 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) 2333-3 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) 2333-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3, 3781-3 & 5382-3 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.



2478-3

January 30, 1996

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

NOTICE

TO: JOE/JOHN ARTHUR
PO BOX 578
SOUTH SHORE SD 57263

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to 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 or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2333-3; 2478-3; 3781-3; 5382-3; & 5237-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.



2478-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 1996

Joe & John Arthur
PO Box 578
South Shore, SD 57263

Dear Sirs:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and chemigation reports. You may disregard the January 30, 1996, Notice of Violation of Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: JOE/JOHN ARTHUR
PO BOX 578
SOUTH SHORE SD 57263

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2333-3; 2478-3; 3781-3 & 5382-3

The first notice to file chemigation report(s) for Permit No(s) 2333-3; 2478-3; 3781-3 & 5382-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for Permits No(s) 2333-3; 2478-3; 3781-3 & 5382-3. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to 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 or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2333-3; 2478-3; 3781-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE, SD 57263 0578

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

SUBJECT: Violation of Water Permit No(s) 2333-3 & 5382-3, 2478-3 & 3781-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s); 2333-3 & 5382-3, 2478-3 & 3781-3. 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 1997

2333-3

2478-3

3781-3

5782-3

Joe & John Arthur
PO Box 578
South Shore, SD 57263-0578

Dear Sirs:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notices of Violation of Water Permits, the 1996 Irrigation Questionnaire Requirements and Failure to Report Chemical Use.

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

Thank you and if you have any questions, please contact me.

Sincerely,

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

2478-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE, SD 57263 0578

FROM: Ron Duvall, Natural Resources Engineer
for Joan 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. 2333-3 & 5382-3, 2478-3 & 3781-3. 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 5 1/2 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:

Joe/John Arthur
PO Box 578
South Shore SD 57263-0578

2478-3

4a. Article Number

2179 157 140

4b. Service Type

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

7. Date of Delivery

1-10-98

5. Received By: (Print Name)

Tawny L. Arthur

6. Signature: (Addressee or Agent)

X Tawny L. Arthur

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

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 9, 1998

NOTICE

TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE SD 57263

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

RE: Requirement to Report 1997 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 2333-3, 2478-3, 3781-3 & 5382-3 was dated October 17, 1997. Our records indicate that we have not received your 1997 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1997 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application

The hearing will be held at 9:45 am, February 25, 1998, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2333-3, 2478-3, 3781-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 20, 1998, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to February 20, 1998 you will no longer be in violation and your name will be deleted from the Board agenda.

2478-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

2333-3

2478-3

3781-3

5382-3

Joe & John Arthur
PO Box 578
South Shore, SD 57263-0578

Dear Sirs:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires and chemical reporting forms. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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

Thank you and if you have any questions, please contact me.

Sincerely,

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

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



2478-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: JOE/JOHN ARTHUR, PO BOX 578, SOUTH SHORE, SD 57263 0578
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 2333-3 & 5382-3, 2478-3 & 3781-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 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) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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, 2000, 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.



2478-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 19, 2000

Joe & John Arthur
PO Box 578
South Shore, SD 57263-0578

RE: Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3

Dear Sirs:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

The information was received in our office prior to the Water Management Board meeting and your names have 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 14, 2004

2478-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JOE/JOHN ARTHUR, 46409 154TH ST, SOUTH SHORE, SD 57263

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 2333-3 & 5382-3, 2478-3 & 3781-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 27, 2004, 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.



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January 27, 2004

2333-3
2478-3
3781-3
5382-3

Joe & John Arthur
46409 154th St
South Shore SD 57263

Dear Sirs:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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

NOT TO SCALE

2478-3

279-108R

NCOP

35

NCOP

~~71.6~~ 75.2

~~71.6~~

WELL

120-5!

~~29.7~~
~~22.3~~

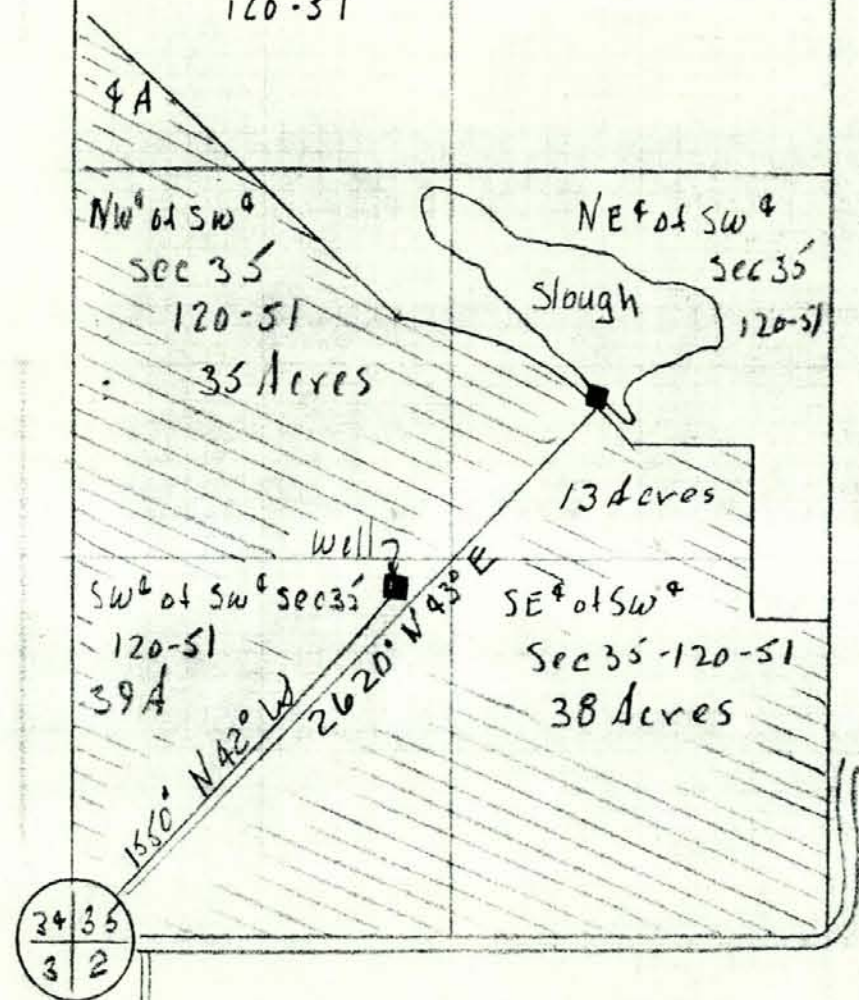
8.1

.9

4.8

Water channel - 1.8 cfs.

SW¹/₄ of NW¹/₄ Sec 35
120-51



Scale - 8" = 1 Mile

DAVID GRONEBERG

IRRIGATION PROJECT # 2

South Shore South Dakota

Grant County

Points of Diversion

#1 - well 1550' N 42° W of SW corner

#2 Slough 2620' N 43° W of SW corner

Sec 35 - 120-51

Acres Irrigated - 129

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that
this map identifies are reasonably accurate
record of the land of:

David Groneberg

South Shore

Grant County

Drawn by J. L. W.

John L. Wiersma

South Dakota

11-17-75

P. E. #1916

Bookmap 3 10

57006

MAP NO 1853-3 APPL NO 2478-3



2478-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: JOE/JOHN ARTHUR, 46409 154TH ST, SOUTH SHORE, SD 57263

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 2478-3 & 3781-3 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) 2333-3 & 5382-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2333-3 & 5382-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2478-3 & 3781-3 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 24, 2006**, 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.



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PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
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February 2, 2006

2333-3
2478-3
3781-3
5382-3

Joe & John Arthur
46409 154th St
South Shore SD 57263

Dear Sirs:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2333-3, 2478-3, 3781-3 and 5382-3.

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

If you have any questions, please contact me.

Sincerely,

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