

2810-3

1. Considered 7-21, 1976
2. Name of Applicant JAMES J. DAVIS
3. Post Office Address PARKER
4. Amount of water claimed 2.28
5. Source of water supply 60' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in TURNER county
about 25.25 miles of PARKER
8. Proof of Publication Received 7-20-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2810-3

Map No. 2148-3 Water Division No. 3 VERMILLION RIVER District _____
(Blank to be filled by the Engineer for the W. R. C.)

(Blank; to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant James J. Davis
Post-office address Parker, S. Dak. 57053, State -----
If a corporation show date and place of incorporation -----
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work James J. Davis Irrigation System #1
4. Amount of water claimed (cubic feet per second) 2.25 MINIMUM REQUIRED
2.5
5. Source of water supply well
6. Location of point of diversion SE $\frac{1}{4}$ 13 $\frac{1}{4}$ 27-59-53
----- County Turner
7. Annual period or periods during which water is to be used May - Nov.
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 160

[illegible]

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 27-99-53	40		
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 27-99-53	40		
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 27-99-53	40		
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 27-99-53	40		

Attach sheet if more space is needed

Attach sheet if more space is needed

10. Time required to complete construction of water supply system _____ 1 _____ years. Additional time required to complete application of water to the proposed beneficial use _____ 1 _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication _____ NEW ERA, Parker, S. Dak. 57053 _____
12. Principal Features of the Proposed Water Supply System.

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

Well with electric pump.

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

Underground pipeline

C. Works proposed to apply water to beneficial use.

Center Pivot Irrigation system.

Estimated Total Cost \$ 15,000.00

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

STATE OF SOUTH DAKOTA)
) ss.

County of Turner

I, James J. Davis 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 James J. Fawcett

Subscribed and sworn to before me this 1st day of June 1976

Notary Public (or other qualified officer)

Edw. F. Bageman, Jr.
Notary Public
Turner County S.Dak.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2810-3JAMES J. DAVIS
(Applicant)PARKER
(Post Office Address)SOUTH DAKOTA 57053
(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JUNE 7 1976
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application JULY 2 1976
 Approved JULY 22 1976 Recorded in Book 15 Page 291

WATER RIGHT PERMIT NO. 2810-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2810-3 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 JUNE 7 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22 1977
3. The whole of said work is to be completed on or before JULY 22 1978
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22 1978
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 2.78 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 JULY 22 1978; said water to be used during the following described annual period: MAY - NOVEMBER

Witness my hand this 2ND day of AUGUST 1976

WATER RIGHTS COMMISSION

By

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 19 1980Water License Issued SEPTEMBER 19 1980

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 1 1/4", Depth 60'
 (2) Casing, Type steel Diameter 1 1/4" Thickness 3/8"
 (wood, concrete, steel, etc.)
 (3) Perforated Screen
 Type Johnson Stainless Steel Diameter 1 1/4" Length 20'
 (4) Gravel Pack, Thickness 5 1/2' 6" Length of gravel pack 55'

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 No log available. Water bearing sands and
gravels.

Depth to top of water bearing material 3'

Depth to bottom of water bearing material 52'

Thickness of water bearing material 52'

Depth to water (ground surface to water level) 8'

(2) Distance to nearest existing household or livestock watering well:

On same owner's property 130 rds. On property owned by others 160 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.

James J. Davis
 Signature of Applicant

Form 6. - Notice of Intent to Appropriate Water

No. 2810-3

Publish first publication, on or before

July 12, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 6, 1976

Notice is hereby given that James J. Davis
whose post office address is Parker, 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 2.28 cubic feet of water per
second of time from the ground water through the
Davis Irrigation System No. 1, the point of diversion of which is to
be located in the SE 1/4 N1/4

of Section 27, Twp. 99N, Range 53W. Said water to be used
for the purpose of providing irrigation on the following described land:

NE 1/4, Sec. 27, T99N, R53W

This application No. 2810-3 will be considered by the Water Rights
Commission at the Court House in Winner, SD

upon the 21st day of July, at 10:15 AM. All
interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: James J. Davis
Parker, SD 57053

We have designated the Argus Leader for advertising in order
to allow time for hearing at the July meeting.

June 29, 1976

Mr. James J. Davis
Parker, SD 57053

Dear Mr. Davis:

I am enclosing herewith the original copy of the report of analysis of water sample #76-680 submitted here a few days ago. I am also enclosing a copy of ALS publication #13 with the quality of this water plotted approximately by means of a red cross on the chart on the outside back cover. As you see, it is in the high salinity, low sodium category. As such, the hazard that it presents to irrigation is the total salt load it carries. There will be about 1 1/2 tons of salt brought to the land for each foot of water you apply on every acre. That is to say, an acre foot of this water carries about 1 1/2 tons of salt. This being the situation, your soils must have good internal drainage with adequate freedom of water to pass below the bottom of the root zone and carry the salts out of the actively growing region of the plant roots. In order to accomplish this, you need to apply the water in substantial amounts each time you irrigate, and avoid frequent light applications. I would suggest no more than 4 applications in a growing season and at least 2 to 3 inches every time you irrigate. There is no serious problem with any of the soils that you intend to irrigate so if you observe these management suggestions on the water, I anticipate no difficulty. However, if salinity does begin to show up, sample the soil or contact someone in water resources for advice or assistance. The extension irrigation specialist can also be of considerable help.

A copy of this letter is accompanying your WI-1 form and a copy of the water analysis to the State Conservation Commission in Pierre.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

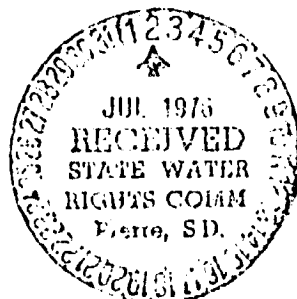
LOF:ckb

Enclosures

cc State Conservation Commission

D. Pahl

Merlin Pietz, County Extension Agent



CONSERVATION
COMMISSION
FORM W1 #1

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

NAME James J. Davis
ADDRESS Turner, S.D. 57001
COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Section 27-24-43
2. LOCATION OF AREA TO BE IRRIGATED 1/4 Sec. 27-24-43

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT x GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Soybeans

WATER QUALITY

5. SAMPLE NUMBER 76-680
6. SALINITY (EC X 10⁶) 16.7 (high)
7. SODIUM (SAR) 0.33 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Turner Co. Conservation District,
County Extension office or Soil Conservation Service,
and
that the legal description for the location of the well and land to be irrigated is true
and correct.

James J. Davis
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
18th DAY OF June 1976.

Ernest R. Peterson, Jr.
(TITLE OR SEAL)

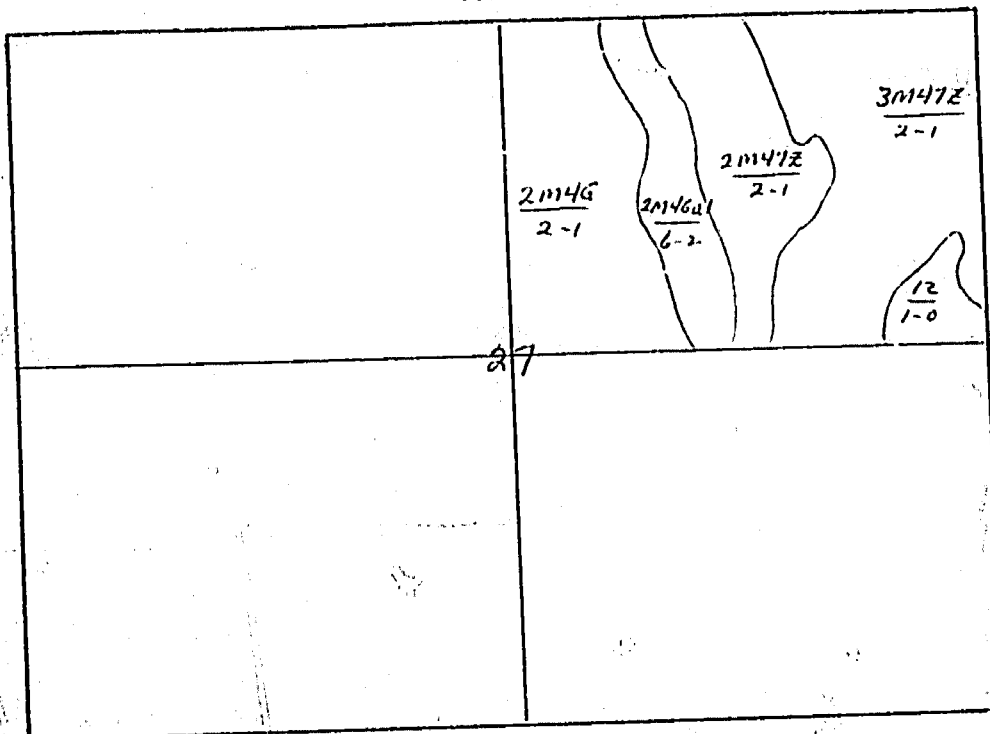
Alfred J. Peterson
APPROVED/DENIED

Norahy Public

(SOILS INFORMATION ON REVERSE SIDE)

R-53.W

MAP



NARRATIVE

- 2M4G
2-1 Deep, loamy, well drained soils on nearly level uplands. Few limitations in use. Cap. Unit - I2
- 2M46
6-2 Deep, loamy, well drained soils on gently undulating slopes having thin surface layers and light colored, clay sub-soils. They have severe water and wind erosion hazards. Cap. Unit IIIe6.
- 2M47Z
2-1 Moderately deep, well drained soils with 20-20" of loamy material over sand and gravel on nearly level upland slopes. Sandy and gravelly subsoils and substrata limit water storage capacity and rooting depths. Cap. Unit IIIs3.
- 3M47Z
2-1 Moderately deep, well drained soils with 10-20" of loamy material over sand and gravel on nearly level upland slopes. Cap. Unit IIIs3.
- 12
1-0 Deep, loamy, well and moderately well drained soils on bottom lands that sometimes receive beneficial overflow. Few limitations in use. Cap. Unit IIIs3.



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

Submitted by: James J. Davis
 Address: Brookings, SD 57053

Date Rec'd: June 22, 1976
 Sample No.: 76-060
 Identification: 12-
NB1, 25, 27, T 991, R 521

WATER ANALYSIS

Calcium (Ca)	170	ppm*	11.50	me/l**
Magnesium (Mg)	103	ppm	8.45	me/l
Sodium (Na)	35	ppm	1.08	me/l
Potassium (K)	10	ppm	0.27	me/l
Sulfate (SO ₄)	660	ppm	11.73	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.12	me/l
Bicarbonate (HCO ₃)	433	ppm	8.08	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)	24	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1677	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.33			
Sodium	8.53	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.27			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 23.30 me/l
 Total anions 21.93 me/l

By: Harley L. Linton

Service Performed	Amount Due
Irrigation analysis	2.00 FLD

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-060

Amount Enclosed \$ _____

Signed: _____

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2810-3

(1) WHEREAS, On the 7th day of July A. D. 19 76
James J. Davis

made Water Right Application No. 2810-3 for a permit to use 2.28 cubic feet per second of the waters
of groundwater (one well)

County of Turner, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 22nd day of July A. D. 19 76

Permit No. 2810-3, with a date of priority of June 7, 1976

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 22nd day of July A. D. 19 77 and for the
application to beneficial use of said water on or before the 22nd day of July A. D. 19 76

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 1.88 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 136 acre circle in the NE1/4, Section 27, T90N, R53W

(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 James J. Davis

_____ of Parker SD
the holder _____ and owner _____ of said permit No. 2810-3 a water right, dating from _____
June 7, 1976 to use of 1.00 cubic feet per second of the waters
of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____ a point south 70° west, 150 rods from the
NE corner, Section 27, T99N, R53W

and conducted to and upon _____ a 136 acre circle, in the NE 1/4, Section 27, T99N, R53W

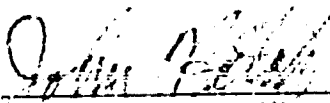
for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2810-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 19th day of September A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:


Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2810-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

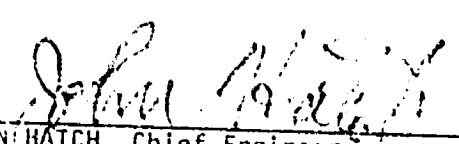
This is to Certify, That James J. Davis

_____ the holder _____ of
Permit No. 2810-3, issued upon Application No. 2810-3, bearing date of priority of June 7, 1976
_____ authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater (one well) County of Turner, State of South Dakota at _____
a point south 7° west, 150 rods from the NE corner, Section 27, T92N, R53W

_____, 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 1.88 cu. ft. per second of water.

Date September 19, 1980


JOHN HATCH, Chief Engineer
Water Rights Division

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

Davis

No. 2810-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, W.H. LEOPARD hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the SIoux Falls Municipal

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 SIoux FALLS

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

July 12

July 19

x W.H. Leopard
(Signature)

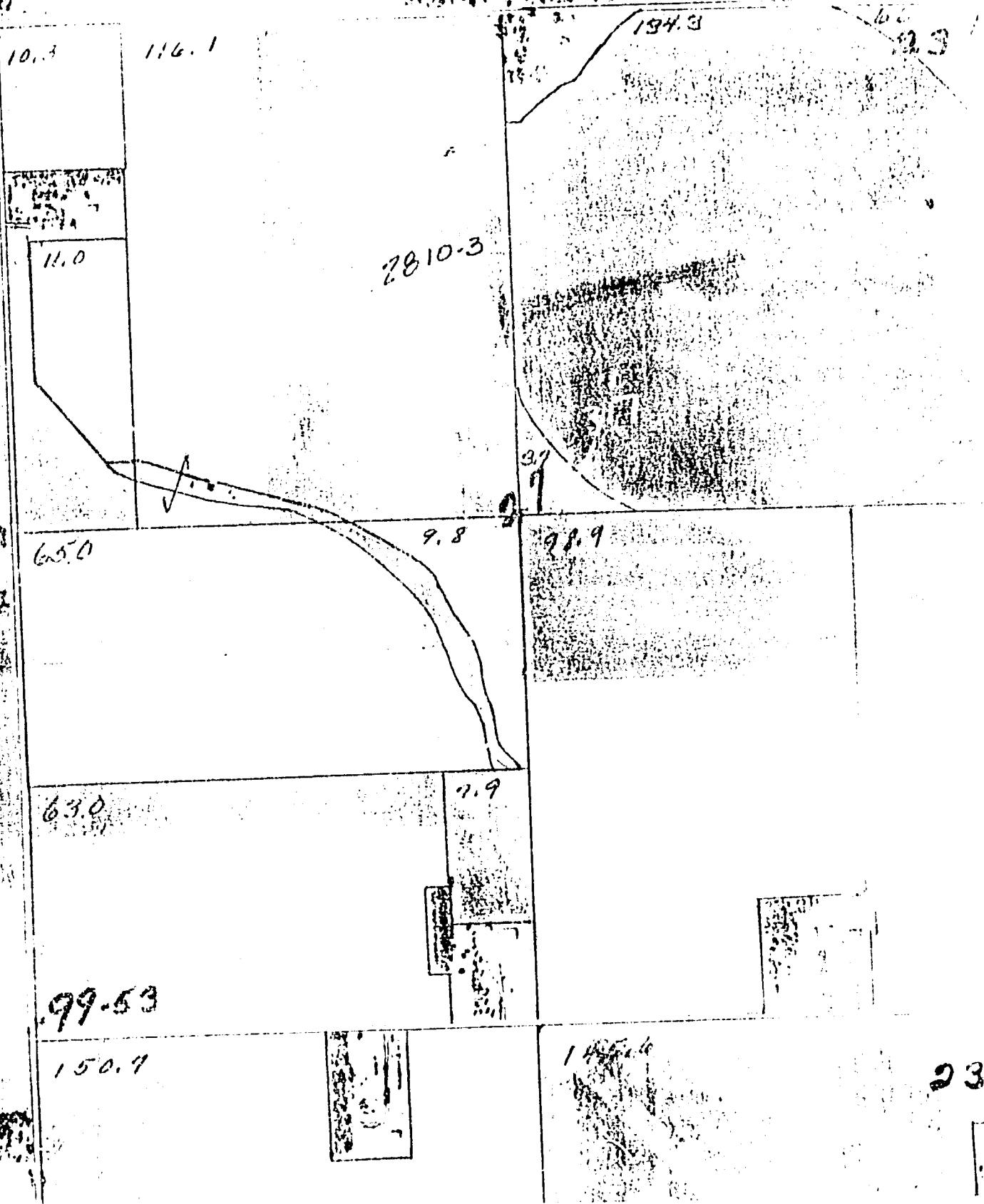
W. H. LEOPARD, Publisher
(Title)

July 19, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
July 6, 1976
Notice is hereby given that James J.
Davis whose post office address is
Parker, 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 2.28 cubic feet of water
per second of time from the ground
water through the Davis Irrigation
System No. 1, the point of diversion of
which is to be located in the SE 1/4 NE 1/4
of Section 27, Twp. 97N, Range 31W.
Said water to be used for the purpose
of providing irrigation on the following
described land:
NE 1/4, Sec. 27, T97N, R31W
This application No. 2810-3 will be
considered by the Water Rights
Commission at Winner, S.D. at the
Courthouse upon the 21st day of July at
10:00 A.M. All interested persons may
appear and be heard.
WATER RIGHTS
COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
July 12, 19, 1976



NOT TO SCALE



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7696

September 18, 1900

PIERRE,

RECEIVED OF James J. Davis. Parker, SD 57033

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)	2810-3	50	00
Fee for inspecting Construction, and issuing Cert. of Construction No.	2810-3		
Fee for inspecting Beneficial Use, and issuing Water License No.			
Fee for issuing Location Certificate-Dry Draw, No.			
Fee for filing			
Fee for certified copy of			
Fee for Print copy of map			
Fee for Certifying			
Fee for			
(any other work as provided by law)			
TOTAL		50	00

WATER RIGHTS COMMISSION

By (John Hatch) / (dy)
Chief Engineer, Executive Officer
JOHN HATCH / (dy)

Permit No. 2810-3Water Division 3 Vermillion River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by JAMES J.DAVIS of PARKER holderof Permit No. 2810-3, bearing date of priority of JUNE 6th, 1976authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATERfor IRRIGATION purposes, in TURNER County.

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

The Water Use System consists of,

A. Works used to divert the water:

38' DEEP WELL WITH 14" STEEL CASING - 20' OF SS SCREEN
NATIONAL PUMP CO 8" PUMP - MODEL N-200 - SERIAL # 776142
POWERED BY 7.5 HP NEWMAN ELECTRIC MOTOR

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

1450' OF 8" BURIED PLASTIC MAINLINE TO PIVOT PAD

C. Works used to apply water to beneficial use.

7 TOWER VALLEY ELECTRIC DRIVE CENTER PIVOT SYSTEM
WITH #150 END GUNThe system is in the following condition: GOODThe point of diversion is located S 7°W, 150 RODS FROM THE NE
CORNER SECTION 27, T99N, R53WThe works are capable of diverting and conveying to the place of use 1.88 (850 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING A 136 ACRE CIRCLE IN THE NE⁴,
SECTION 27, T99N, R53Wcomprising a total of 136 acres of land.Date AUGUST 7, 1980Auston Jones
(Signature)



Department of Water & Natural Resources

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

February 17, 1989

James J. Davis
RR 1, Box 43
Parker, SD 57053

Dear Mr. Davis:

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;

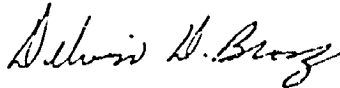


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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



January 9, 1998

2810-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JAMES J DAVIS, 45557 277TH STREET, PARKER SD 57053

**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) 2810-3 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). 2810-3 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.



January 9, 1998

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

NOTICE

TO: JAMES J DAVIS, 45557 277TH STREET, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 4736-3 & 5506-3, (2810-3). 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) 2810-3 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) 4736-3 & 5506-3 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) 4736-3 & 5506-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2810-3 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.

2810-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1998

2810-3

4736-3

5506-3

James Davis
45557 277th St
Parker, SD 57053

Dear Mr. Davis:

I am writing to acknowledge receipt of your 1997 chemical reporting information and irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 2810-3, 4736-3 and 5506-3.

I completed questionnaires for you based on our January 27th and February 4th telephone conversations. 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 for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-2352



2810-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESPMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 20, 2005

NOTICE

TO: JAMES J DAVIS, 45557 277TH STREET, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 2810-3 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) 4736-3 & 5506-3 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 2, 2005 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) 4736-3 & 5506-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2810-3 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 25, 2005, 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.



2810-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 22, 2005

2810-3
4736-3
5506-3

James J Davis
45557 277th St
Parker SD 57053

Dear Mr. Davis:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 2810-3, 4736-3 and 5506-3.

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

R. 53. W

22

27

10.3

38.9

17.2

19.5

99.8

3-2

11.0

Land To Be Irrigated:

NE $\frac{1}{4}$ 27-99-53

4

150 Rods. S. 70 W.

PROPOSED
IRRIG. WELL NO. 1

27

98.9

63.3

63.2

20.5

99.53

150.1

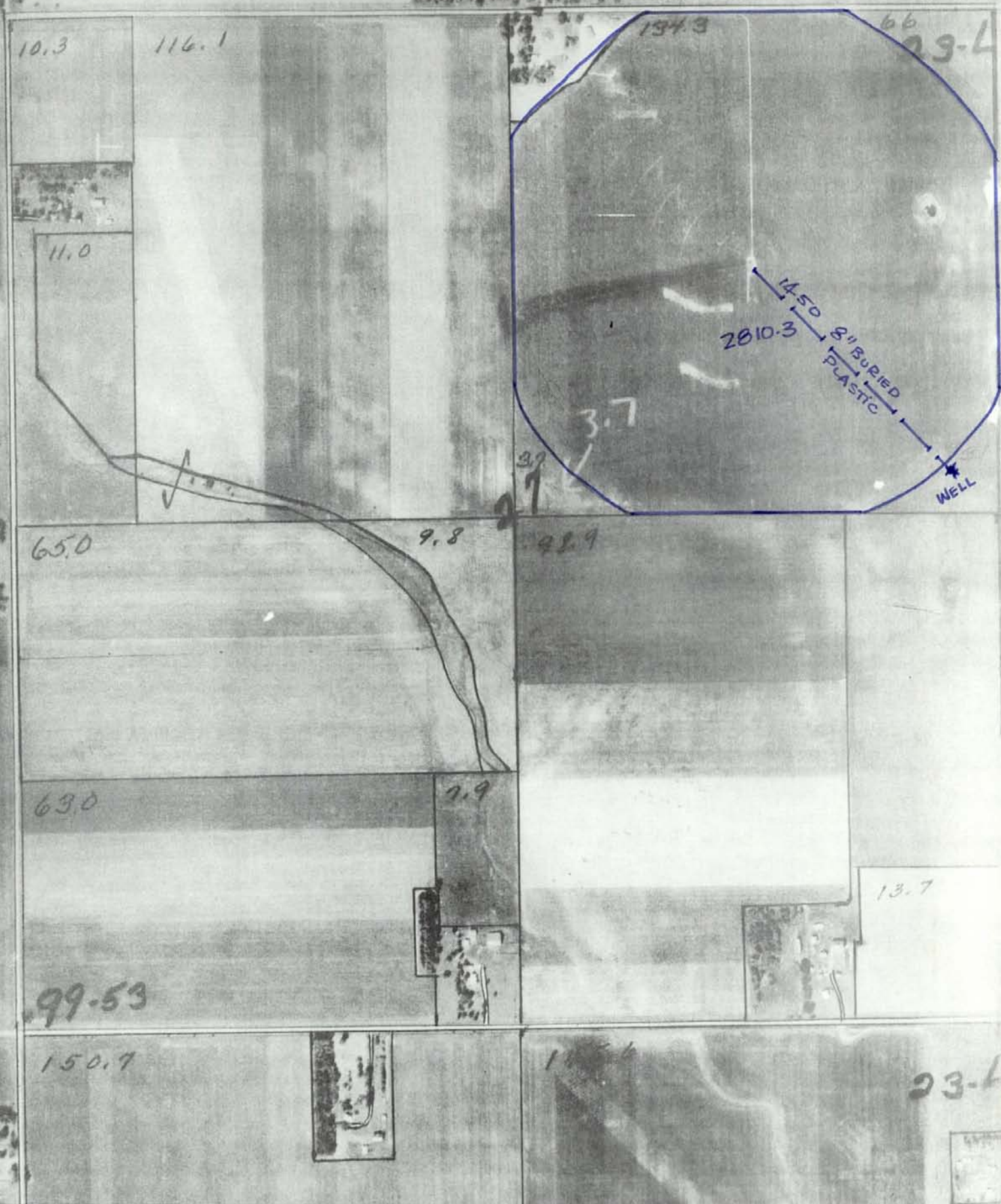
72.1

James J. Davis Irrigation System #1
James J. Davis, Parker SD 3-2
57053

N. 66. E

MAP NO 2148-3 APPA NO 2810-3

NOT TO SCALE





2810-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: JAMES J DAVIS, 45557 277TH STREET, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 2810-3 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) 4736-3 & 5506-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** 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) 4736-3 & 5506-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2810-3 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 questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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

[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9716

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 10:58 AM on January 23, 2010 in PARKER, SD 57053. The item was signed for by M DAVIS.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 10:58 am, PARKER, SD 57053
- Out for Delivery or Available at PO Box, January 23, 2010, 8:05 am, PARKER, SD 57053
- Sorting Complete, January 23, 2010, 7:35 am, PARKER, SD 57053
- Arrival at Post Office, January 23, 2010, 6:57 am, PARKER, SD 57053

Notification Options

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 9716

JAMES J DAVIS
45557 277TH STREET
PARKER SD 57053

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

2810-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2010

2810-3
4736-3
5506-3

James J Davis
45557 277th St
Parker SD 57053

Dear Mr. Davis:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2810-3, 4736-3 and 5506-3.

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,

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

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