

2893-3

1. Considered 9.29, 1976
2. Name of Applicant OTTO R. HEIB
3. Post Office Address HOSMER
4. Amount of water claimed 4.0
5. Source of water supply 88' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 409
7. Water to be diverted and used in MC PHERSON County
about 6N, 4E miles of HOSMER
8. Proof of Publication
Received 7-13-76
Not Received
9. Application
Approved
Subject to
Not Approved
Action deferred
10. Remarks:

3:15 PM

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

No. 2893-3Map No. 2225-3 Water Division No. 3 MISSOURI RIVER District
(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 Otto R. Hieb
 Postoffice address Hosmer, State South Dakota
 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 Otto R. Hieb Irrigation Project
4. Amount of water claimed (cubic feet per second) 1
5. Source of water supply ground
6. Location of point of diversion 157 rds W 157 rds N from the SE corner of Sec. 34-126-71
2 NEAR THE SE CORNER SECTION 34, T26N, R71W (County McPherson)
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For _____ Total number of acres to be irrigated 109

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE 1/4 Sec. 34-126-71	37	SE 1/4 Sec. 34-126-71	37
SE 1/4 Sec. 34-126-71	37	SW 1/4 Sec. 34-126-71	37
NW 1/4 Sec. 34-126-71	37	Additional descriptions on	
NE 1/4 Sec. 34-126-71	37	attached sheet	

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Northwest Blade
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
PumpB. Works proposed to transport water to place of use.
PipelineC. Works proposed to apply water to beneficial use.
Center PivotEstimated Total Cost \$ 80,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of McPHERSONI, Otto R. Hieb 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 Otto R. HiebSubscribed and sworn to before me this 20th day of August, 1978

Notary Public (or other qualified officer)

Floyd E. Meldinger
NotaryMy Commission expires
11/20/78

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2893-3

OTTO R. HIEB
(Applicant)

R.R. #1, Box 49, Hosmer
(Post Office Address)

SOUTH DAKOTA 57448 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.

APPROVAL OF THIS PERMIT CANCELS PERMIT NO. 1506-3

Date of first receipt of application AUGUST 23, 1976

Date of return to applicant for correction, amendments or changes required — 19 —

Date of receipt of corrected application AUGUST 25, 1976

Approved SEPTEMBER 29, 1976 Recorded in Book 16 Page 31

WATER RIGHT PERMIT NO. 2893-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2893-3 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 AUGUST 23, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 29, 1978
3. The whole of said work is to be completed on or before SEPTEMBER 29, 1979
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29, 1981
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 4.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 29, 1981; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 24TH day of NOVEMBER 19 76

WATER RIGHTS COMMISSION

By:

John H. Hahn
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 6, 1978

Water License Issued FEBRUARY 6, 1978

Otto R. Hieb Hosmer, South Dakota

Additional land descriptions for lands to be irrigated

<u>Land Descriptions</u>	<u>No. Acres Irr.</u>
NE 1/4 Sec. 3-125-71	31
NE 1/4 Sec. 3-125-71	31
SE 1/4 Sec. 3-125-71	31
SW 1/4 Sec. 3-125-71	20
NE 1/4 Sec. 2-125-71	31
NE 1/4 Sec. 2-125-71	31
SE 1/4 Sec. 2-125-71	31
SW 1/4 Sec. 2-125-71	5

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

JOB NAME		LOCATION	DATE	RIG NO.	FOREMAN
Jt. No.	DEPTH	TIME	REMARKS		
1	0-20		0-3 Top Soil 3-20 yellow sand		
2	20-35		med Gravel a little yellow		
3	35-50		med Gravel		
4	50-65		good Gravel		
5	65-80		good Gravel		
6	80-95		80-88 good Gravel 88-95 Blue Clay		

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc.)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. Info from test well

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

Character of Water bearing materials _____

Med. coarse to very coarse sands and gravels _____

Depth to top of water bearing material _____ 10'

Depth to bottom of water bearing material _____ 95'

Thickness of water bearing material _____ 85'

Depth to water (ground surface to water level) _____ 10'

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

On same owner's property _____ 320 _____ 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.

Atto R. Nib

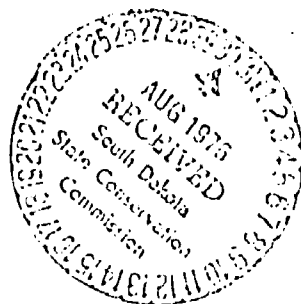
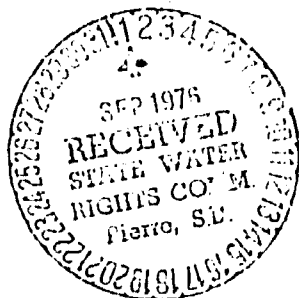
Signature of Applicant

SOUTH DAKOTA STATE UNIVERSITY
BROOKINGS, SOUTH DAKOTA 57003

WATER RESOURCES RESEARCH INSTITUTE

August 19, 1976

Otto R. Hieb
RR 1, Box 49
Hosmer, SD 57448



Dear Mr. Hieb:

I am enclosing herewith the original copy of the report of analysis on water sample 76-944, your well log, and a copy of AES publication 13. In the chart on the outside back cover I have plotted the approximate utility of your water for irrigation use by means of a red cross. As you see, it is borderline between medium and high salinity, but it is low in sodium.

Accordingly this water is quite well suited to irrigation use in the climatic zone of McPherson County. In as much as you state that your soils are predominantly very sandy, I anticipate no problem in water table rise or salinity accumulation. You should, however, strive as much as possible to irrigate to full field capacity of your soils every time you irrigate, and avoid small, frequent irrigations.

A copy of this letter is accompanying your application materials to the State Conservation Commission in Pierre for their action.

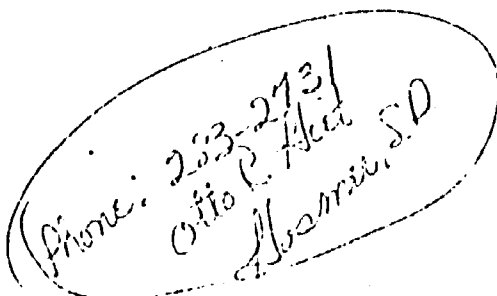
Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

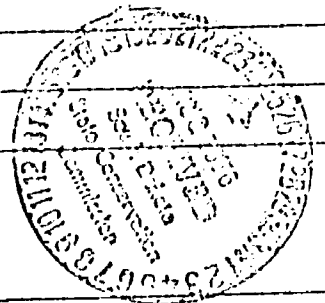
cc: State Conservation Commission
D. Pahl
Wayne Nesby, County Extension Agent

LOF:jed
Enclosures



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 Otto R. Hieb
ADDRESS Harmon S. Dak
COUNTY McPherson



LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 Sec. 34-126-71
2. LOCATION OF AREA TO BE IRRIGATED W 1/2 SW 1/4, SE 1/4 Sec. 34-126-71,
NW 1/4 Sec. 2-125-71, NE 1/4 Sec. 3-125-71

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED corn - alfalfa

WATER QUALITY

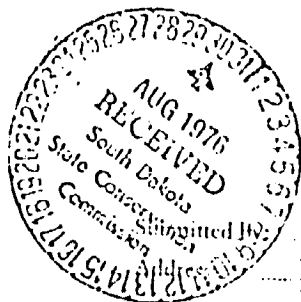
5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 McPherson 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.

Otto R. Hieb
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
20th DAY OF August, 19 76
Floyd E. Meidinger
Notary
My Commission expires 11/20/78
(TITLE OR SEAL) Notary Public

[Signature]
APPROVED/DISAPPROVED



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

Otto R. Hieb
Rt. 1, Box 49
Hosmer, SD 57448

Date Rec'd August 5, 1976
Sample No. 76-944
Identification Well
SE 1/4, Sec. 34, T 126N, R 71W

WATER ANALYSIS

Calcium (Ca)	112	ppm*	5.60	me/l**
Magnesium (Mg)	27	ppm	2.21	me/l
Sodium (Na)	33	ppm	1.44	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	98	ppm	2.04	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	7	ppm	0.20	me/l
Bicarbonate (HCO ₃)	439	ppm	7.20	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	360	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	736	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.73			
Sodium	15.22	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.67			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 9.46 me/l
Total anions 9.44 me/l

By: Shirley Mitten

Service Performed

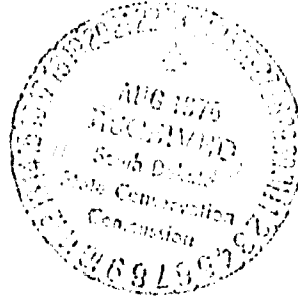
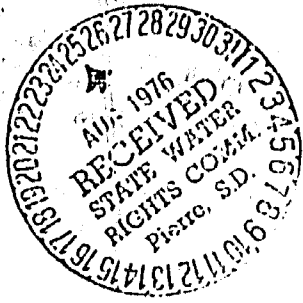
Amount Due

Irrigation analysis

\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment



August 19, 1976

Orto R. Hoch
Rt 1, Box 49
Hosmer, SD 57443

Dear Mr. Hoch:

An enclosure herewith the original copy of the report of analysis on water sample 7-2-76, your water log, and a copy of A.S. publication 13. In the chart on the outside back cover I have plotted the approximate utility of your water for irrigation use by means of a red cross. As you see, it is borderline between medium and high salinity, but it is low in sodium.

Accordingly this water is quite well suited to irrigation use in the climatic zone of McPherson County. In as much as you state that your soils are predominantly very sandy, I anticipate no problem in water table rise or salinity accumulation. You should, however, strive as much as possible to irrigate to full field capacity of your soils every time you irrigate, and avoid small, frequent irrigations.

A copy of this letter is accompanying your application materials to the State Conservation Commission in Pierre for their action.

Sincerely yours,

L. O. Fink

L. O. Fink
Water Quality Lab

cc: State Conservation Commission
D. Pohl
Wayne Neaby, County Extension Agent

LOF:jad
Enclosures

Conservation
Commission
Form WL #1

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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soil Capability: _____

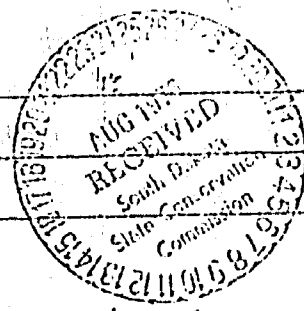
Approved: _____

Disapproved: _____

NAME: OTTO R HIEB

ADDRESS: RR 1 Box 49

COUNTY: MCPHERSON



LEGAL DESCRIPTION

1. WELL LOCATION: N.W. corner of the SE 1/4 Sec. 34 Range 126-71
2. AREA TO BE IRRIGATED: SE 1/4 Sec 35 SW 1/2 Sec. 34 Range 126-71

TYPE OF IRRIGATION

3. GRAVITY ☐ SPRINKLER (Indicate Type): CENTER PIVOT
4. CROPS TO BE IRRIGATED: ALFALFA & CORN

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 10 To 20%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Sandy

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 76-944
8. SALINITY: EC = 736 (medium-high) (borderline)
9. SODIUM: SAR = 0.73 (low)

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

Submitted by: Otto R. Fied Date Rec'd: Aug 12, 1976
 Address: Box 1, 105 Ave Sample No.: 750644
Brookings, SD 57006 Identification: 0112
1, 105 Ave, T 222, S 73

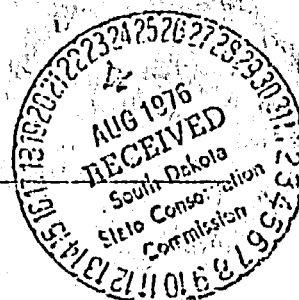
WATER ANALYSIS

Calcium (Ca)	112	ppm*	4.60	me/l**
Magnesium (Mg)	27	ppm	2.21	me/l
Sodium (Na)	33	ppm	1.34	me/l
Potassium (K)	8	ppm	0.31	me/l
Sulfate (SO ₄)	98	ppm	2.04	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	7	ppm	0.20	me/l
Bicarbonate (HCO ₃)	439	ppm	7.20	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)		ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	736	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.73			
Sodium	15.22	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.67			
Others:				

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

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

COMMENTS: Total cations 9.44 me/l
 Total anions 9.44 me/l



By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 750644 Amount Enclosed \$

Signed

WATER LICENSE NO. 2893-3

(1) WHEREAS, On the 23rd day of August A. D. 19 76
Otto R. ~~Holt~~ HIEB

made Water Right Application No. 2893-3 for a permit to use 4.0 cubic feet per second of the waters of groundwater

County of McPherson, State of South Dakota, for irrigation

_____ purposes; and
 (2) WHEREAS, On the 24th day of November A. D. 19 76

Permit No. 2893-3, with a date of priority of August 23, 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 29th day of September A. D. 19 79 and for the application to beneficial use of said water on or before the 29th day of September A. D. 19 81

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.0 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 the following land in Section 34, T 126N, R71W

NE 1/4 SW 1/4 32 acres

SE 1/4 SW 1/4 22 acres

NW 1/4 SE 1/4 37 acres

NE 1/4 NE 1/4 32 acres

SW 1/4 SE 1/4 37 acres

SE 1/4 SE 1/4 32 acres

Total 202 acres

(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 Otto R. ~~Heth~~ HIEB

_____ of Nosmer
the holder _____ and owner _____ of said permit No. 2893-3 a water right, dating from August 23, 1970
_____ to use of 2.0 cubic feet per second of the waters
of groundwater

in the County of McPherson and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 60'S and 20'E of the center of Section
34, T126N, R71W

and conduct to and upon Portions of Section 34, T126N, R71 W, described on
the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2893-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of February A. D.
Nineteen Hundred and Seventy Eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Form 15.

Permit No. 2893-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Otto R. Roib H.I.E.B.

_____ the holder _____ of
Permit No. 2893-3, issued upon Application No. 2893-3, bearing date of priority of August 23,
1976 authorizing the diversion of 4.0 cu. ft. per second of the waters of _____
groundwater County of Nebraska, State of South Dakota at _____
a point 60'S and 20'E of the center of Section 34, T12N, R71W
_____, for irrigation

purposes, ha 8 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date February 6, 1978

By:

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County McPherson) ss.

I, Arlo C. Mehlhaff hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Northwest Blade Inc.

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

Northwest Blade Inc. Eureka,

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

Sept. 9, 1976

Sept. 16, 1976

Arlo C. Mehlhaff
(Signature)

Publisher
(Title)

Sept. 10, 1976
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
August 30, 1976
Notice is hereby given that
Otto R. Hieb, whose post office
address is Hosmer, South Da-
kota, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appro-
priate for beneficial use 4.0 cubic
feet of water per second of time
from ground water through the
Hieb No. 1; the points of diver-
sion of which are to be located in
the SE $\frac{1}{4}$, SE $\frac{1}{4}$, and in the Cen-
ter of Section 34, Twp. 126W,
Range 71W. Said water to be
used for the purpose of provid-
ing irrigation on portions of
the following described land:
NW $\frac{1}{4}$, Section 2; NE $\frac{1}{4}$, Section
3, T125N, R71W; E $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Section 34, T126N, R71W.

This application, No. 2893-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 29th day
of September, 1976, at 10:00
A.M. All interested persons may
appear and be heard.

Water Resources
Commission

By: Burton F. Jones
Water Rights
Specialist

9 - 916 - 76



Form 6 - Notice of Intent to appropriate Water

No. 2393-3

Publish first publication, on or before September 18, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 30, 1976

Notice is hereby given that Otto R. Heib

whose post office address is Mosmer, 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

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

Heib #1, the point of diversion of which is located in the

in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and in the Center of

of Section 34, Twp. 126N, Range 71W. Said water to be used for the purpose

of providing irrigation on ^{portions of} the following described land:

NW $\frac{1}{4}$, Section 2; NE $\frac{1}{4}$, Section 3. T126N, R71W; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,

Section 34, T126N, R71W

This application No. 2393 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10:00 A. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Otto R. Heib, P.R. #1, Box 40, Mosmer, S.D. 57448

Form 10.

No. 2893-3

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Hosmer

Date 11 / 3 / 76

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2893-3

Water Right Permit No. 2895-3 states that the diversion system is to be constructed by Sept. 29, 19 79 and that the water is to be put to beneficial use by Sept. 29, 19 81.

The diversion system was completed on Oct. 5, 19 76.
Applying the water to beneficial use was completed on Oct. 6, 19 76.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Otto R. Niek
(Signature)



Permit No. 2893-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Olto R. Heib of RR #1, Box 49, Hosmer, S.D. 57448 holder of Permit No. 2893-3, bearing date of priority of August 23, 1976 authorizing the diversion of 4.0 cu. ft. per second of the waters of Ground for Irrigation purposes, in McPherson County.

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

The Water Use System consists of,

A. Works used to divert the water:

Motor: General Electric, Model 5K6255 X 11A,
Ser # FMJ 616445, 75 HP.

Pump: Aurora, Number 35672268, 3 stage
Pumping 900 gpm

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

2500 ft. 8" dia. PVC, 120 PSI, Pipe Buried 6 ft. deep

C. Works used to apply water to beneficial use.

Olson Center Pivot Model 103, Ser # 35312

The system is in the following condition: Excellent

The point of diversion is located 60 ft South and 20 ft east of the
Center of section 34, T126N R71W

The works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 24, T126N R71W

NE 1/4 SW 1/4 - 32 Ac., SE 1/4 SW 1/4 - 32 Ac., NW 1/4 SE 1/4 - 37 Ac.
NE 1/4 SE 1/4 - 32 Ac., SW 1/4 SE 1/4 - 37 Ac., SE 1/4 SE 1/4 - 32 Ac.

comprising a total of 202 acres of land.

Well data: Depth 76 ft.

Depth to Water 23 ft.

Capacity 1100 gpm

Date October 4, 1977
Leroy J. Mearns
(Signature)



3-10-98

Dept. of Int. Natural Resources
John Hatch Chief Engineer

Dear Sir:

Informing you, regarding our Land Sale to
Lester & Harlan Aman, this Land Sale includes
land that we have Water Right's irrigation Permit.
With the Dept. of Interior or Environment-Natural Resources
Pierre, SD.

Description of land with water permit
McPherson Co. SD. ~~In Custer~~ In Kassel Twp. Sec-34-
126-71 - the S.E. 1/4 - 130 Acres under irrigation
Sec 34-126-71 - the East 1/2 of the Southwest 1/4.

What is the procedure for Transfer?

Thank You

Sincerely Yours

Otto & Virginia Nieb
11824 340 AVE.

Hosmer, S.D. 57448

Phone # 605-283-2731

New owner's

Lester & Harlan Aman

33788 121st St.

Hosmer, S.D. 57448



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 16, 1998

2893-3

Lester & Harlan Aman
33788 121st St
Hosmer, SD 57448

Dear Sirs:

I am contacting you in regard to ownership of land described in Water Right No. 2893-3. Otto and Virginia Hieb have notified our office that they have sold the land to you.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 2893-3. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

I noticed when reviewing the water license that there is an error in the legal description of the irrigated acres. This is very easy to correct and can be done by reissuing the water license. As soon as you file the transfer of ownership, we will go ahead and reissue the license in your names and correct the error.

If you have any questions concerning the water right or completion of the transfer form, please give me a call.

Sincerely,

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

encl



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 16, 1998

2893-3

Lester & Harlan Aman
33788 121st St
Hosmer, SD 57448

Dear Sirs:

I am contacting you in regard to ownership of land described in Water Right No. 2893-3. Otto and Virginia Hieb have notified our office that they have sold the land to you.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 2893-3. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

I noticed when reviewing the water license that there is an error in the legal description of the irrigated acres. This is very easy to correct and can be done by reissuing the water license. As soon as you file the transfer of ownership, we will go ahead and reissue the license in your names and correct the error.

If you have any questions concerning the water right or completion of the transfer form, please give me a call.

Sincerely,

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

encl

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 2893-3

Date: 3-24-98

I/We request that Water Right No. 2893-3

formerly owned by: Otto R Hieb, 11824 340 Ave., Hosmer, SD 57448

be transferred to: (name & address) Lester & Harlan Aman, 33788 121st St, Hosmer, SD 57448

Telephone No. _____

Title to the following described land(s)/property has been transferred as described above:

202 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 34, T126N, R71W

I/We understand that the validity of Water Right No. 2893-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

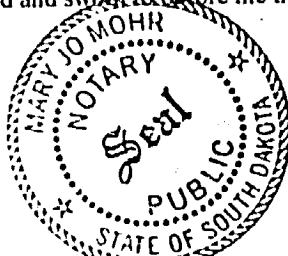
STATE OF SOUTH DAKOTA)

County of McPherson

I/We Lester & Harlan Aman 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 that I know of my own personal knowledge that the information herein stated is true.

Harlan Aman
(Signed)

Subscribed and sworn to before me this 24th day of March, 19 98.



Mary Jo Mohr
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

42 415707

Pierre, March 25, 19 98

RECEIVED OF Lester and Harlan, Aman, RR 1, Box 60, Hosmer, SD 57448
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
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 Water Right No. 2893-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By _____
Chief Engineer

John A. Hatcher



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

2893-3

Lester & Harlan Aman
33788 121st St
Hosmer SD 57448

Dear Sirs:

Enclosed is Reissued Water License No. 2893-3 and the \$2.50 receipt for filing the *Notice of Transfer of Ownership*. The license is being reissued to correct errors in the legal description of the irrigated acres, which were incorrect on the original license.

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

Very truly yours,

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

ks

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 2893-3

(1) Otto E Hieb, Hosmer SD was issued Water License No. 2893-3, February 6, 1978 for a water right to appropriate 2.0 cubic feet of water per second from groundwater (one well), McPherson County, South Dakota for irrigation purposes. Water License No. 2893-3, with a priority date of August 23, 1976 was issued to Otto E Hieb with construction of the described water supply system completed and the application to beneficial use of said water completed.

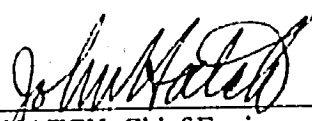
On March 25, 1998, Water Right No. 2893-3 was transferred to Lester & Harlan Aman. Water Right No. 2893-3 is being reissued to correct errors in the number of acres and the legal description of the lands irrigated as they appeared on the original water license.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.0 cubic feet of water per second for beneficial use. The location of the diversion point is a point 60 feet south and 20 feet east of the center of Section 34-T126N-R71W (NW 1/4 SE 1/4).

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 34-T126N-R71W			
NE 1/4 SW 1/4	32 acres	NW 1/4 SE 1/4	37 acres
SE 1/4 SW 1/4	32 acres	NE 1/4 SE 1/4	32 acres
		SW 1/4 SE 1/4	37 acres
		SE 1/4 SE 1/4	32 acres
Total 202 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lester & Harlan Aman, 33788 121st St. Hosmer SD 57448 the holders and/or owners of Water Right No. 2893-3 are reissued a license to appropriate water, the right to use 2.0 cubic feet of water per second from groundwater (one well) with a priority date of August 23, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2893-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 23 1998

date



2893-3

COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LESTER & HARLAN AMAN
33788 121st ST
HOSMER SD 57448

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) LEROY AMAN B. Date of Delivery 1-20-01

C. Signature

x Le Roy Aman

☒ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3888

PS Form 3811, July 1999

Domestic Return Receipt

102535-00-M-0952

2893-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: LESTER & HARLAN AMAN, 33788 121st ST, HOSMER, SD 57448

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 2893-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 2893-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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 57501-3102
www.state.sd.us/denr

January 26, 2001

2893-3

Lester & Harlan Aman
33788 121st St
Hosmer, SD 57448

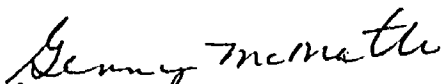
Dear Sirs:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 2893-3.

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



2893-3

**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 14, 2004

NOTICE

TO: LESTER & HARLAN AMAN, 33788 121st ST, HOSMER, SD 57448

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 2893-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2893-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.



2893-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8077

Your item was delivered at 11:21 am on January 15, 2004 in HOSMER, SD 57448. The item was signed for by C AMAN.

[Shipment Details >](#)

Notification Options

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Track & Confirm

Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8077

LESTER & HARLAN AMAN
33788 121st ST
HOSMER SD 57448

I before mailing.

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

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**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 22, 2004

2893-3

Lester & Harlan Aman
33788 121st St
Hosmer SD 57448

Dear Mr. Aman:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 2893-3.

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

2893-3

$T^2: T^2A^2: A^4A^4-2$

1974 copy

6-M-95

WELL

#2

74.1

17.1

193D

pipeline

center pivot system

14.2

15.8

2

13.4

28.1

125-71

193D

14.0

MAP NO 2225-3 (APPL NO 2843-3)

ME-3

1974 Copy

6-mgs

45.5
56.0

81.643

Center Pivot
System

Pipeline
T10 A

WEAL

193D

34.7

3

175-71

18.5

193D

16.0

62: 62 SW 4-34

Sec 35 T12N R71W

1974 Copy

6-M95

126-71

193

74.8

5.4

3.9

56.7

Point of Diversion: 60 ft South
and 20 ft E of center of Sec 24, T12N R71W

17.0

WELL
154.4

NW 1/4 SE 1/4 - 37 Ac.

NE 1/4 SE 1/4 - 32 Ac.

NE 1/4 SW 1/4 - 32 Ac.

8" PVC Pip. 120 PSI
6 ft underground

Center System

main

pipeline

Center System

SE 1/4 SW 1/4 - 32 Ac.

SW 1/4 SE 1/4 - 37 Ac.

SE 1/4 SE 1/4 - 32 Ac.

126-71

TEST HOLE
↓

#1

Legal Description

E⁴ Sec 3-125-71

NORTH

NW⁴ Sec 2-125-71

204

27B

43C

27B

43C

440

100

87

WATER

WEST

EAST

SOUTH

Form No. 1

BOOSTER PUB. CO., MARTIN, S.



**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: LESTER & HARLAN AMAN, 33788 121st ST, HOSMER, SD 57448

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 2893-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2893-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 3964

Your item was delivered at 11:28 am on January 25, 2006 in HOSMER, SD 57448. The item was signed for by C AMAN.

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
966 660 0000 0799 3964

LESTER & HARLAN AMAN
33788 121st ST
HOSMER SD 57448

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

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☐ First-Class Mail® parcel
☐ Package Services parcel



**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 1, 2006

2893-3

Lester & Harlan Aman
33788 121st St
Hosmer SD 57448

Dear Sirs:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 2893-3.

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



2893-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: LESTER & HARLAN AMAN, 33788 121st ST, HOSMER, SD 57448

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2893-3 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) 2951-3, 2951A-3, 6908-3 & 6908A-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2951-3, 2951A-3, 6908-3 & 6908A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2893-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2018

Harlan or Lester Aman
Aman Brothers
33788 121st St
Hosmer SD 57448

RE: Water Permit/Right Nos. 2893-3, 2951-3, 2951A-3, 6908-3 & 6908A-3

Dear Sirs:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2893-3, 2951-3, 2951A-3, 6908-3 & 6908A-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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: LESTER & HARLAN AMAN, 33788 121st ST, HOSMER, SD 57448
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2893-3 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) 2951-3, 2951A-3, 6908-3 & 6908A-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2951-3, 2951A-3, 6908-3 & 6908A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2893-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

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January 30, 2019

Lester & Harlan Aman
33788 121st St
Hosmer SD 57448

RE: Water Right/Permit Nos. 2893-3, 2951-3, 2951A-3, 6908-3 & 6908A-3

Dear Sirs:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right/Permit Nos. 2893-3, 2951-3, 2951A-3, 6908-3 & 6908A-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,

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

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

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DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: LESTER & HARLAN AMAN, 33788 121st ST, HOSMER, SD 57448

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2893-3 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) 2951-3, 2951A-3, 6908-3 & 6908A-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2951-3, 2951A-3, 6908-3 & 6908A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2893-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: QBJDUW**

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.

2893-3



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SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2021

Lester & Harlan Aman
33778 121st St
Hosmer SD 57448

RE: Water Right or Permit Nos. 2951-3, 2951A-3, 2893-3, 6908-3 & 6908A-3

Dear Sirs:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires. Jeff Aman called and completed the forms over the phone with me today.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2951-3, 2951A-3, 2893-3, 6908-3 & 6908A-3. The information was received in our office prior to the Water Management Board meeting and your names were deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us