

November 24, 1972

9.11.79

134' deep well. 10116 Transducer reading

Large Sample. Mid-chain Pump & C. 1352 K
4-stage 12 K BH

100158 U.S. Electric Power

12' of 10" Line & 10' of 12"

Electrogenerator App 117 and 100

Model CES = 11762 3904

2845-3

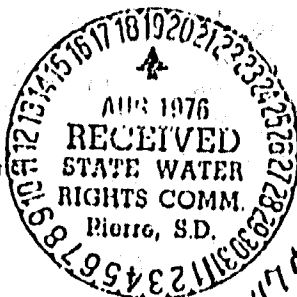
KELLY GEORGE

8-14-76

ELK POINT, S.D. 57025

2895-3

1. Considered 9.29, 1976
2. Name of Applicant KELLY GEORGE
3. Post Office Address ELK POINT
4. Amount of water claimed 2.42
5. Source of water supply 100' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 170
7. Water to be diverted and used in UNION county
about 35.15 miles of ELK POINT
8. Proof of Publication Received 9-20-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2895-3Map No. 2227-3 Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be Filled by the Engineer for the W. H. 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 Kelly George
 Postoffice address Elk Point, State South Dakota
 If a corporation show date and place of incorporation None
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work George Irrigation Project
 4. Amount of water claimed (cubic feet per second) 2.42 27-cfs MAXIMUM ALLOWABLE
 5. Source of water supply Well
 6. Location of point of diversion 1450 feet East and 1300 feet South of the NW Corner
of Section 5, T90N R49W
 County Union

7. Annual period or periods during which water is to be used June through September
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 170 Ac.

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.
<u>NW 1/4 Sec. 5, T90N R49W</u>	<u>170 Ac.</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system five (5) years. Additional time required to complete application of water to the proposed beneficial use five (5) years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication For-Courier, Elk Point, S. D.
 12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 10,000.00Attachments: 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 BlaineI, Kelly George 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

Subscribed and sworn to before me this

13th day of August 19 76

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2895-3

KELLY GEORGE
(Applicant)

Rt. 1, Box 7 ELK POINT
(Post Office Address)

SOUTH DAKOTA 57025
(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 AUGUST 19, 19 76

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

Date of receipt of corrected application AUGUST 25, 19 76

Approved SEPTEMBER 29, 19 76, Recorded in Book 15 Page 306

WATER RIGHT PERMIT NO. 2895-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2895-3 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 19, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 29, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29, 19 81
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 2.42 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, 19 81; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 28th day of OCTOBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hahn
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inch, Depth 100 feet
- (2) Casing, Type Tronite Diameter 16" I.D. Thickness 3/4 inch
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type 1/8" plotted, Diameter 16" I.D., Length 20 feet
- (4) Gravel Pack Thickness 6 - 9 inches, Length of gravel pack 20 + feet

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 Waterbearing gravels and rock

Depth to top of water bearing material 20 feet

Depth to bottom of water bearing material 100 feet

Thickness of water bearing material 80 feet

Depth to water (ground surface to water level) 14 foot drawdown

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

On same owner's property 80 rds. On property owned by others 140 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.

Kelly George
Signature of Applicant

FOR COMPLETION BY THE USER

DESIGNATION OF SYSTEM _____

WATER QUALITY _____

TOILET AVAILABILITY _____

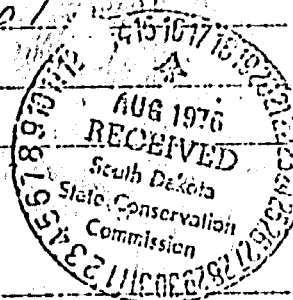
DATE _____

DISAPPROVED _____

7. SAMPLE NUMBER 76-855

8. SALINITY EC = 932 (high)

9. SODIUM SAR = 1.1 (low)



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

SCS and Extension

AND:

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

W. H. H. H.

SUBSCRIBED AND SWORN BEFORE ME THIS

19th DAY OF July 1976.

William L. B. B.

NOTARY
10/8/81

(TITLE)

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

Submitted by: Kelly George
Address: Box 1, Box 7
Brookings, SD 57005

Date Rec'd: 5/12/77
Sample No.: 7-35
Identification: 1-1, 3-6, 5, " 90", R 497

WATER ANALYSIS

Calcium (Ca)	119	ppm*	5.95	me/l**
Magnesium (Mg)	25	ppm	2.05	me/l
Sodium (Na)	51	ppm	2.22	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	106	ppm	2.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	5	ppm	0.14	me/l
Bicarbonate (HCO ₃)	51.7	ppm	3.45	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	922	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.11			
Sodium	21.61	% of cations		
Residual sodium carbonate	0.48	me/l		
pH	7.47			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 10.27 me/l
Total anions 10.62 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$8.00

Make checks payable to: Water Quality Laboratory

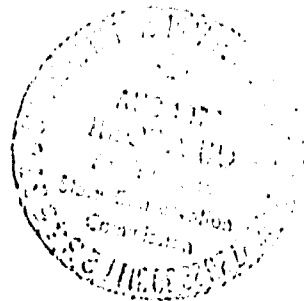
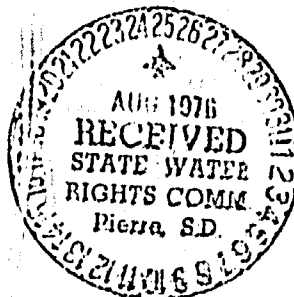
Cut along dotted line and return the lower portion with payment

Sample No. 7-35

Amount Enclosed \$

Signed

AUG 11, 1976



Mr. Bill George
Box 1, Box 7
Lib Point, SD 57505

Dear Mr. George:

Your second letter will be sent to your water user. I will send your application for a water right to the State, SD 1976.

I have also tested this water for quality by means of a small red cross in the plant on page 15. You will see that it is partly less salty than water No. 1, but just a little higher in sodium. The utility of this water for irrigation purposes is essentially the same as that of water No. 1. The soils which you propose to irrigate are slightly better. Therefore, you should not have much difficulty with this water and the project. If however salinity problems should develop, get in touch with us immediately for recommendation and a possible visit to the site.

A copy of this letter is also being sent to the State Conservation Commission.

Sincerely Yours,

L. O. Fine
Water Quality Lab

cc: State Conservation Commission
Louis B. Stet, County Extension Agent
D. Paul

LOF:jad

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2895-3

(1) WHEREAS, On the 19th day of August A. D. 19 76
Kelly George

made Water Right Application No. 2895-3 for a permit to use 2.62 cubic feet per second of the water of groundwater (one well)
 County of Union, State of South Dakota, for irrigation
 purposes; and

(2) WHEREAS, On the 29th day of September A. D. 19 76
 Permit No. 2895-3, with a date of priority of August 19, 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 81 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 2.06 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 144 acre circle in the NW 1/4, Section 5, T90N, R49W (oversize section)

(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 Kelly George

_____ of Elk Point

the holder _____ and owner _____ of said permit No. 2895-1 a water right, dating from August 19, 1976

_____ to use of 2.06 cubic feet per second of the waters
of groundwater (cra well)

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1320 feet east and 1450 feet north
of the NW corner, Section 5, T90N, R49W

and conducted to and upon a 144 acre circle in the NW Section 5,
T90N, R49W (oversize section)

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2895-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of August A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2895-3

Water Diversion No. 3 Linnoyer River Water District

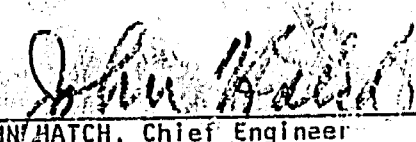
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Kelly George

_____ the holder _____ of
Permit No. 2895-3, issued upon Application No. 2895-3, bearing date of priority of August 19, 1976
_____ authorizing the diversion of 2.42 cu. ft. per second of the waters of 1
groundwater (1 well) County of Union State of South Dakota at
a point 1320 feet east and 1458 feet south of the NW corner, Section 5,
T90N, R49W
_____, for irrigation

purposes, has 5 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 2.2 cu. ft. per second of water.

Date August 26, 1980


JOHN HATCH, Chief Engineer
Water Rights Division

No. 2895-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E Emerson hereby

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

Water was taken from the Leader Courier

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

city of Elk Point

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

September 9, 1976

September 16, 1976

Lester E Emerson
(Signature)

Publisher
(Title)

September 17, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Notice is hereby given that Kelly George whose post office address is Elk Point, 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 2.42 cubic feet of water per second of time from ground water through the George Irrigation Project, the point of diversion of which is to be located in the Center of the NW 1/4 of Section 5, Twp. 90N, Range 49W. Said water to be used for the purpose of providing irrigation of portions of the following described land: NW 1/4 Section 5, T 90N, R 49W, N 1/4 of 34. This application No. 2895-3 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, Sept 16,
Water Rights Specialist
(Pub. Sept. 9, 16) 32



Publish first publication, on or before September 14, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

August 30, 1976

Kelly George

Notice is hereby given that _____
whose post office address is Elk Point, 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
2.42 cubic feet of water per second of time from the ground water through the
George Irrigation Project, the point of diversion of which is to be located in the _____

Center of the NW $\frac{1}{4}$

of Section 5, Twp. 20N, Range 49W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NW $\frac{1}{4}$, Section 5, T20N, R49W

This application No. 2895-3 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:

Kelly George, Rt. 1, Box 7, Elk Point, S.D. 57025

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7609

RECEIVED OF Kelly George, RR 1, Box 7, Elk Point, SD 57025 PIERRE, July 24, 10 80
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. <u>2895-3</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>289503</u>		
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
Chief Engineer, Executive Officer
JOHN HATCH / (bt)

Permit No. 2895-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by KELLY
GEORGE of ELK POINT holder
 of Permit No. 2895-3, bearing date of priority of AUGUST 19, 1976
 authorizing the diversion of 2.42 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in UNION County.
 I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

104' DEEP WELL WITH 16" DIA TRANSITE CASING
 LAYNE BOWLER WELLINE 8" PUMP "81352K - 4 STAGE - 12 KWH BEARS
 100 HP U.S. ELECTRIC MOTOR

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

12' OF 10" ALUMINUM LINE TO CENTER OF PLOT

C. Works used to apply water to beneficial use.

ELECTROGATOR ELECTRIC DRIVE CENTER PLOT
 SYSTEM MODEL 65, SERIAL # 1176C3904 - WITH END GUN
 THE PLOT COVERS 14.50 AC - N & S - OVERSIZE 14

The system is in the following condition: GOOD

The point of diversion is located 1320' E & 1450' S OF THE NW CORNER,
SECTION 5, T90N, R49W

The works are capable of diverting and conveying to the place of use 2.2cu. 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: ALL IN NW¹ SECTION 5, T90N, R49W
FOR IRRIGATING A 14.4 ACRE CIRCLE IN THE NW¹
SECTION 5, T90N, R49W (OVERSIZE SECTION)

comprising a total of 14.4 acres of land.Date SEPTEMBER 11, 1979

[Signature]
 (Signature)

South Dakota
Department of
Water & Natural Resources

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

April 15, 1985

Kelley George
RR 1 Box 7
Elk Point SD 57025

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 2895-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 2895-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,

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

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

June 12, 1985

Notice or Amendment to Water Permit(s)

To: Kelley George
RR #1, Box 7
Elk Point, SD 57025

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

SUBJECT: Amendment to Water Permit No(s). 2895-3.

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2895-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

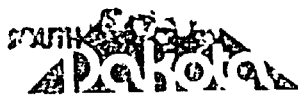
South Dakota
Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 2895-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2895-3 to add the following qualification:

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



Department of Water & Natural Resources

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

March 26, 1986

NOTICE

Kolley George
RR 1, Box 7
Elk Point, SD 57025

Re: Violation of Water Permit No(s). 2895-3

Our records indicate that the 1985 Irrigation Questionnaire has not been received for Water Permit No(s). 2895-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2895-3 qualification:

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

The hearing(s) will be at 2:00 p.m., May 14, 1986, Joe Foss Building, Room 216, Pierre, South Dakota. The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 2895-3 until either the 1985 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

Sincerely,


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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Kelley George
RR 1 Box 7
Elk Point SD 57025

FROM: John Hatch, Chief Engineer *John Hatch*
Water Rights Division *By D. D. Broz*
605 773-3352

SUBJECT: One Year Suspension of Water Permit No(s). 2895-3
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated March 26, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 2895-3 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

June 3, 1986

Permit No. 2895-3

Kelley George
RR 1, Box 7
Elk Point SD 57025

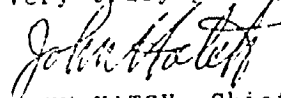
Dear Mr. Kelley:

I am writing to acknowledge receipt of your 1985 Irrigation Questionnaire. A notice was sent to you May 16, 1986 regarding the Board action taken May 14, 1986 to suspend your permit(s) if the 1985 irrigation questionnaire was not received before June 1, 1986.

You may disregard the May 16 notice. With receipt of your 1985 questionnaire(s), your permit(s) will not be suspended.

If you have any questions, please contact us.

Very truly yours,



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



Department of Water & Natural Resources

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

March 23, 1987

KELLEY GEORGE
RR #1 BOX 7
ELK POINT, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 2895-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 2895-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2895-3 qualification:

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

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

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 2895-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 13, 1987

2895-3

Kelley George
RR #1 Box 7
Elk Point, SD 57025

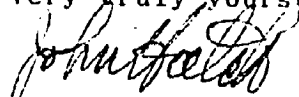
Dear Mr. George:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 2895-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,



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

South Dakota
Department of
Water & Natural Resources

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

January 29, 1988

KELLEY GEORGE
 RR #1 BOX 7
 ELK POINT, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 2895-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 2895-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2895-3 qualification:

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

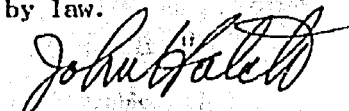
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SECL 1-26.

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

1. Suspend Permit No(s). 2895-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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



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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 9, 1988

2895-3

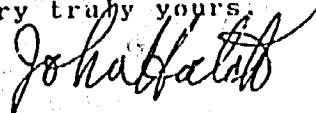
Kelley George
RR 1, Box 7
Elk Point SD 57025

Dear Mr. George:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 2895-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name was deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

South Dakota Department of
Water & Natural Resources

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

February 8, 1989

KELLEY GEORGE
RR #1 BOX 7
BLK POINT, SD 57025

NOTICE

RE: Violation of Water Permit No(s). 2895-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 2895-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2895-3 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

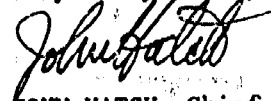
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 2895-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



KELLEY GEORGE
RR #1 BOX 7
ELK POINT, SD 57025



Department of Water & Natural Resources

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

March 9, 1989

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Kelley George
RR 1, Box 7
Elk Point SD 57025

FROM: Delvin D Brosz, P.E., *Delvin D. Brosz*
Hydrologist
For John Hatch, Chief Engineer
Water Rights Division

SUBJECT: One Year Suspension of Water Permit No(s). 2895-3

Pursuant to the provisions of the notice dated February 8, 1989, and following the hearing of March 1, 1989, the Water Management Board has ordered:

That Water Permit No(s). 2895-3 be **SUSPENDED** until December 31, 1989.

Suspension of a permit means water may not be pumped during the 1989 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Please contact Genny McMath (605 773-3352), if you have any questions.

NOTE: The questionnaire has been received, however, it does not change the Board's action to suspend your permit. If you want to petition the Water Management Board to rescind the suspension, you will need to submit a letter to our office requesting time on the agenda for the Water Management Board Meeting to be held May 10, 1989 in Pierre. The letter should include your reasons for not returning your irrigation questionnaire prior to the March Board Meeting.

Kelley George
RR 1, Box 7
Elk Point SD 57025

55



Department of Water & Natural Resources

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

#2895-3

March 10, 1989

Kelley George
RR 1, Box 7
Elk Point, SD 57025

Dear Mr. George:

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;

March 10, 1989
George
page 2

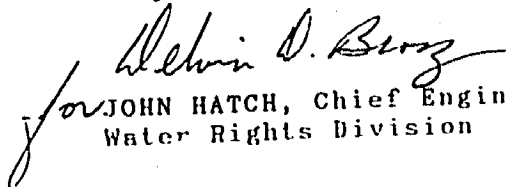
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

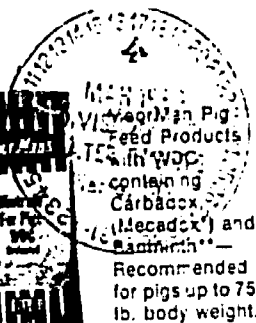
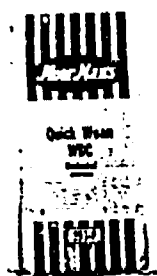
The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A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


JOHN HATCH, Chief Engineer
Water Rights Division



For control of swine dysentery (vibronic dysentery, bloody scours or hemorrhagic dysentery), control of bacterial swine enteritis (salmonellosis or necrotic enteritis caused by *Salmonella choleraesuis*), aid in the prevention of migration and establishment of large roundworm (*Ascaris suum*) infections, and in the prevention of establishment of nodular worm (*Ostophagostomum*) infections of swine

*Trademark of Pfizer, Inc.

**Trademark of Pfizer, Inc. for Pyrantel Tartrate.

I AM SENDING THIS LETTER TO
PETITION THE WATER MANAGEMENT
BOARD TO RESCIND THE SUSPENSION OF
WATER PERMIT #2895-3. IT SEEMS
THAT THERE HAS BEEN A MIXUP FOR
PERMIT #'S OR MY QUESTIONNAIRE
THAT I SENT TO YOU ON DEC. 10, 1988
HAS BEEN LOST OR ^{MY} REPLACED SOMEHOW!
I SENT THE RESULTS OF THE 1988
IRRIGATION USE TO YOUR OFFICE
ON DEC. 10, 1988 AND I ASSUMED THAT
YOU HAD IT. I RECEIVED A NOTICE IN
FEBRUARY AND I RETURNED ANOTHER
RESULT SHEET TO YOU IN MARCH,
COULD YOU PLEASE CLEAR THIS
PROBLEM UP AS SOON AS POSSIBLE, ^{Hand} YOU
KELLY G.

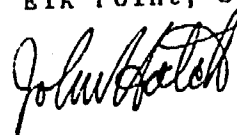
 **Department of
Water & Natural Resources**

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

March 21, 1989

NOTICE

TO: Kelley George, RR #1 Box 7, Elk Point, SD 57025

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

SUBJECT: Notice of Hearing to Consider Request for
Consideration of Suspended Water Right No. 2895-3

The hearing on your March 17, 1989, request to the Water Management Board to reconsider suspension of Water Right No. 2895-3 has been scheduled for 11:30 am, May 10, 1989, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated February 8, 1989, the hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permit, defer action or taken no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Larry Donovan, Assistant Attorney General



CERTIFICATION

I hereby certify that on March 21, 1989 I have personally deposited with the U.S. Mail a postage prepaid envelope containing a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 2895-3 addressed as follows:

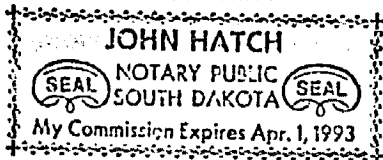
Kelley George, RR 1, Box 7, Elk Point SD 57025

Karen Schlaak

KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of March, 1989.



John Hatch
Notary Public

Kelly George
Water Right No. 2895-3

GENERAL

Application submitted by:

Kelly George
RR #1 Box 7
Elk Point, SD 57025

Permit Approved:

September 29, 1976

Permit Licensed:

August 26, 1980

Water Right No. 2895-3 was amended by the Water Management Board May 15, 1985 to include the irrigation questionnaire qualification for violation of the Requirement to submit the 1984 irrigation questionnaire.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

Year	Date Request Mailed	Date Irrigation Questionnaire Returned	Date of Any Board Action
1984	October, 1984	did not return form	May 15, 1985
1985	November, 1985	May 29, 1986	May 16, 1986
1986	November, 1986	March 27, 1987	none
1987	October, 1987	March 3, 1988	none
1988	October, 1988	March 3, 1989	March 1, 1989

PAST VIOLATIONS

1. 1984 Violation of Requirement to Submit the 1984 Irrigation Questionnaire:

April 15, 1985, Kelly George was given notice of violation of the requirement to submit the 1984 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 15, 1985.

May 15, 1985, the Water Management Board amended Water Permit No. 2895-3 to add the Irrigation Questionnaire Qualification.

June 12, 1985, Mr. George was notified of the Board's action to amend Water Right No. 2895-3.

2. 1985 Irrigation Questionnaire Violation

March 26, 1986, Kelly George was given notice of permit violation for non-return of the 1985 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 14, 1986.

May 14, 1986, the Water Management Board suspended Water Right No. 2895-3 until December 31, 1986 unless the required irrigation questionnaire was received by June 1, 1986.

May 16, 1986, Mr. George was notified of the Board action to suspend his water right.

May 29, 1986, the irrigation questionnaire was received, the water right was no longer suspended.

3. 1986 Irrigation Questionnaire Violation

March 23, 1987, Kelly George was given notice of permit violation for non-return of the 1986 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 6, 1987.

March 27, 1987, the irrigation questionnaire was received, the water right was then deleted from the list of permits/rights brought before the Water Management Board May 6, 1987.

4. 1987 Irrigation Questionnaire Violation

January 29, 1988, Kelly George was given notice of permit violation for non-return of the 1987 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 2, 1988.

March 3, 1988, the irrigation questionnaire was received (letter was postmarked March 1, 1988), the water right was then deleted from the list of permits/rights brought before the Water Management Board March 2, 1988.

5. 1988 Irrigation Questionnaire Violation

February 8, 1989, Kelly George was given notice of permit violation for non-return of the 1988 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 1, 1989. This notice was sent by Certified Mail, Return Receipt requested.

March 1, 1989, the Water Management Board suspended Water Right No. 2895-3 until December 31, 1989.

March 9, 1989, Mr. George was notified of the Board action to suspend his water right.

March 17, 1989, a letter was received from Kelly George petitioning the Water Management Board to reconsider suspension of his Water Right No. 2895-3.

March 21, 1989, Mr. George was sent a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 2895-3.



Department of Water & Natural Resources

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

May 12, 1989

NOTICE

TO: Kelly George, RR #1 Box 7, Elk Point, SD 57025

FROM: Delvin D. Prosz, P.E. *Delvin D. Prosz*
Hydrologist
for John Hatch
Chief Engineer
Water Rights Division

SUBJECT: Reinstatement of Suspended Water Right No. 2895-3

The Water Management Board, following the May 10, 1989, hearing passed the following motion:

"That Water Right No. 2895-3, with receipt of the 1988 irrigation questionnaire, is reinstated effective immediately."

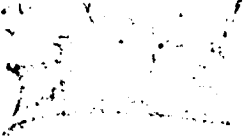
In the past, the Board has advised permit holders that "failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement".

If you have any questions, please contact Genny McMath, 773-3352.



SENDER: Complete items 1 and 2 with additional services see 4-Med, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The address on this card must be the only one of the return address on any label, tag or container. Do not use the address on the label for delivery. Domestic postmaster not responsible for loss or damage for undelivered merchandise returned.	
1. ☒ Ship to where delivered, date, and sender's address.	2. ☐ Registered Delivery.
3. Article addressed to: <i>Kelly, George</i> <i>CR. Box</i> <i>Elk Point 57025</i>	4. Article Number <i>2698 127 628</i> Type of Service: ☒ Registered ☐ Insured ☐ COD ☐ Signature Required ☐ Signature Not Required Article is the property of sender or consignee.
5. Signature - <i>George Kelly</i>	6. A. Sender's Name and Address <i>George Kelly</i> <i>CR. Box</i> <i>Elk Point 57025</i> registered and for post.
6. Signature - <i>George Kelly</i>	
7. Date of Delivery <i>8-13-89</i>	

South Dakota



GREAT FACES. GREAT PLACES.
February 1, 1991

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

2895-3

KELLEY GEORGE
RR #1 BOX 7
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 2895-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2895-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 2895-3 qualification:

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

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

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

1. Suspend Permit No(s) 2895-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to two years;
2. Postpone any action;
3. Take no action.

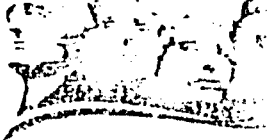
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by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

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

KELLEY GEORGE
RR 1, BOX 7
ELK POINT, SD 57025

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 2895-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 2895-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

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

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

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

1. Suspend Permit No(s). 2895-3 until either the 1990 chemigation report(s) is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: KELLEY GEORGE RR #1 BOX 7 ELK POINT SD 57025	4. Article Number P 694 057 459 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X <u>KELLEY GEORGE</u> 6. Signature - Agent X 7. Date of Delivery FEB 11 1991	8. Addressee's Address (ONLY if requested and fee paid)

South Dakota

GREAT FACES. GREAT PLACES.

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

February 14, 1991

2895-3

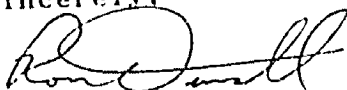
Kelley George
RR #1 Box 7
Elk Point, SD 57025

Dear Mr. George:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire and chemical application data for Water Right No. 2895-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and Notice of failure to report chemical use. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division



2895-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

KELLEY GEORGE
RR #1 BOX 7
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No 2895-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 2895-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 2895-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No 2895-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN **7** tied on the reverse side?

SENDER:

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

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

KELLEY GEORGE
RR #1 BOX 7
ELK POINT, SD 57025

2895-3

4a. Article Number

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☒ Return Receipt for Merchandise

7. Date of Delivery

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

5. Signature (Addressee)

6. Signature (Agent)

Is your RETURN **7**

PS Form 3811, December 1991 ©U.S. GPO: 1993-252-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



2895-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 1995

2895-3

Kelley George
RR #1 Box 7
Elk Point, SD 57025

Dear Mr. George:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, **Notice of Violation Water Permit No. 2895-3**.

The questionnaire 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 Division
(605) 773-3352

2895-3



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: KELLEY GEORGE, RR #1 BOX 7, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program
SUBJECT: Violation of Water Permit No(s) 2895-3

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2895-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2895-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in 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. 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) 2895-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

SENDER:

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

KELLEY GEORGE
RR #1 BOX 7
ELK POINT SD 57025

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
Consult postmaster for fee.

4a. Article Number

2 161 984 036

4b. Service Type

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

7. Date of Delivery

02-08-94

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

Thank you for using Return Receipt Service.

Domestic Return Receipt

2895-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 1996

2895-3

Kelley George
RR 1 Box 7
Elk Point, SD 57025

Dear Mr. George:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 2895-3.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

3. Article Addressed to:

2895-3
RELLEY GEORGE
RR 1 BOX 7
ELK POINT SD 57025

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X

PS Form 3811, December 1994

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

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

P 378 081 435

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

FEB - 8 - 97

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 1997

NOTICE

TO: KELLEY GEORGE, RR 1 BOX 7, ELK POINT, SD 57025

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

SUBJECT: Violation of Water Permit No(s). 2895-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted¹ for Permit No(s)2895-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2895-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in 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. 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) 2895-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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 57501-3181

March 7, 1997

NOTICE OF THREE YEAR SUSPENSION OF WATER RIGHT

TO: KELLEY GEORGE, RR 1 BOX 7, ELK POINT, SD 57025

FROM: JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352 *John Hatch*

SUBJECT: Three Year Suspension of Water Right No. 2895-3

Pursuant to the provisions of the notice dated February 4, 1997, and following the hearing of March 5, 1997, the Water Management Board has ordered:

That Water Right No. 2895-3 be suspended until December 31, 1999 for failure to submit the 1996 irrigation questionnaire.

Suspension means water may not be pumped during the 1997, 1998 or 1999 irrigation seasons. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

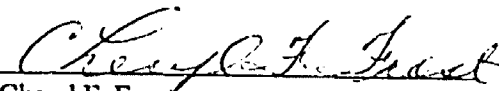
If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 1996 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for April 29, 1997, in Pierre, SD. The letter should include your reasons for not completing the 1996 irrigation questionnaire.

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

CERTIFICATION

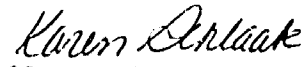
I hereby certify that on March 7, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 7, 1997, regarding Three Year Suspension of Water Right No. 2895-3, addressed as stated below:

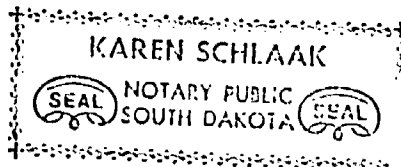
Kelley George, RR 1, Box 7, Elk Point, SD 57025.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1997


Notary Public



KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001

2895-3

DEPT. OF WATER RIGHTS:

I AM SUBMITTING THE WATER USAGE
REPORT. SORRY FOR BEING LATE IN SENDING
THIS TO YOU, WE RENT THE FARM TO A
NEIGHBOR AND I HAD FORGOT TO HAVE
IT FILLED OUT FOR YOU. HE HAS BEEN
GONE AND AS SOON AS HE GET BACK WE
FILLED THE FORM OUT. I HOPE THIS
MEETS WITH YOUR APPROVAL WITH THIS
COMPLETED FORM. THANK YOU

SINCERELY YOURS,

Kelly George





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 13, 1997

Kelley George
RR 1 Box 7
Elk Point, SD 57025

Dear Mr. George:

I am contacting you in regard to your letter and 1996 irrigation questionnaire, received in our office on March 12, 1997.

On March 5th, the Water Management Board suspended Water Right No. 2895-3 for three years. Failure to return the 1996 irrigation questionnaire by the hearing date was the second violation of your water right and resulted in a three year suspension.

Unfortunately, submission of the irrigation questionnaire does not mean the suspension of your water right is automatically lifted. In order for you to be able to irrigate during the next three irrigation seasons, the Water Management Board must reconsider their action to suspend your water right.

If you would like the Board to reconsider the suspension of your water right, please contact me and I will schedule the matter for hearing. The next Water Management Board meeting is April 22, 1997, here in Pierre.

If you have any questions, please contact me.

Sincerely,

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

2895-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Kelley George

ADDRESS: RR 1 Box 7, Elk Point, SD 57025

DATE: March 18, 1997

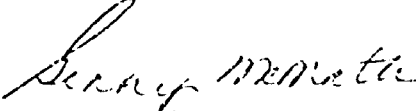
TELEPHONE: 605 356-2598

RE: Suspension of Water Right No. 2895-3

COMMENTS:

On March 12, 1997, Mr. George submitted his irrigation questionnaire and a letter explaining why it was late. On March 13, 1997, I wrote to Mr. George and explained that receipt of the questionnaire did not alter the Board's decision to suspend his water right.

He called March 18th and requested that the matter be placed on the agenda for the next hearing. He asked if it were necessary to attend the hearing and I indicated that he should if at all possible. In the past, the Board has delayed the hearing because the permit holder did not attend the hearing. Mr. George stated that he could not attend because he ran a charter bus company and was never home. He asked if writing a letter explaining the circumstances of his job and why attending the hearing would not be possible, would help. I strongly urged him to do so because the Board wants to know if he understands the violation and is sincere about wanting to irrigate. I asked him if he had someone who could attend the hearing for him and he indicated he could not ask his renter because he would be busy farming at that time.


Genny McMath
Environmental Scientist



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

March 19, 1997

NOTICE

TO: Kelley George, RR 1 Box 7, Elk Point, SD 57025

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

SUBJECT: Notice of Hearing to Consider Request to Rescind Suspension of Water Right No. 2895-3

On March 18, 1997, you spoke with Genny McMath with our office, regarding the three year suspension of Water Right No. 2895-3. You indicated you would like the Water Management Board to reconsider the suspension, allowing you to irrigate. The hearing before for the Board to reconsider suspension of Water Right No. 2895-3 has been scheduled for 10:00 am, April 29, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD.

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

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of the water right, defer action or take no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 19, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 19, 1997, regarding Notice of Hearing to Consider Request to Rescind Suspension of Water Right No. 2895-3, addressed as stated below:

Kelley George, RR 1, Box 7, Elk Point, SD 57025.

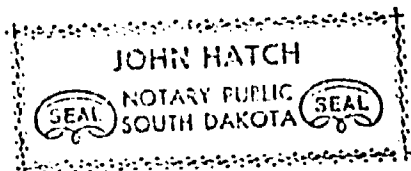
A copy of the above described Notice was sent inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 24th day of March, 1997




Notary Public

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

**IRRIGATION QUESTIONNAIRE VIOLATION
WATER RIGHT NO. 2895-3, KELLEY GEORGE
April 14, 1997**

BRIEF DESCRIPTION:

Water Right No. 2895-3, Kelley George, Elk Point, SD authorizes diversion of 2.06 cubic feet of water per second (cfs) from ground water (104' deep well) to irrigate 144 acres in Section 5, T96N, R49W, Union County. Water Right No. 2895-3 was amended May 15, 1985, to include the irrigation questionnaire qualification.

SUBMISSION OF PAST IRRIGATION QUESTIONNAIRES:

DATE MAILED	DATE DUE IN OFFICE	DATE RECEIVED	BOARD ACTION
November, 1986	December 20, 1986	March 27, 1987	none
October, 1987	November 30, 1987	March 3, 1988 (postmarked 3/1/88)	none
October, 1988	December 20, 1988	March 3, 1989 (postmarked 3/2/89)	SUSPENDED 3-1-89 REINSTATED 5-10-89
October, 1989	December 15, 1989	January 2, 1990	none
October, 1990	December 14, 1990	February 12, 1991	none
October, 1991	December 20, 1991	January 14, 1992	none
October, 1992	December 18, 1992	November 23, 1992	none
October, 1993	December 17, 1993	February 4, 1994	none
November, 1994	December 16, 1994	February 27, 1995	none
October, 1995	December 15, 1995	February 26, 1996	none
October, 1996	December 20, 1996	March 12, 1997	SUSPENDED

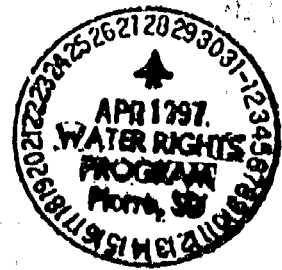
CURRENT STATUS

On March 5, 1997, the Water Management Board suspended Water Right No. 2895-3 until December 31, 1999, for failure to return the 1996 irrigation questionnaire. Failure to return the 1996 irrigation questionnaire was the second violation of the water right.

On March 27, 1997, the water right holder submitted his 1996 questionnaire and a letter explaining the circumstances involving the late submission of the form (copy attached). On March 18, 1997, Mr. George contacted the office and requested the matter be placed on the agenda for Board consideration.

Note: SDCL 46-1-12 states the board may suspend the permit or license for a period of up to one year for the first violation; up to three years for the second violation; and may cancel the permit for license for a third violation.

TO: WATER MANAGEMENT BOARD
JOHN HATCH - CHIEF ENGINEER



FROM: KELLY GEORGE RR1 Bx7 Elk Point, SD. 57025

I understand you are having a hearing on April 29 to reconsider the suspension of our water permit. I'm sorry I had forgot to send the irrigation questionnaire in to your office on time. I sent the papers into you and you received them on March 12. The neighbor that rents our farm was gone and I had to wait for him to get home and then I sent the forms to you. We rent our land to a neighbor and it is very necessary that we have the water because we have sandy soil which requires alot of water for a successful crop. We own and operate a charter bus company which requires all of my time. I would like to be able to be present for your meeting to present myself to you but I'm going to be gone on a bus trip and I am writing this letter to explain the situation to you. I hope you will give us our water rights back for this year as we need it for our renter of the land. Thank you for your time and consideration for this.

Kelly George



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 5, 1997

NOTICE

TO: Kelley George, RR 1 Box 7, Elk Point, SD 57025

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

SUBJECT: Suspension of Water Right No. 2895-3

On April 29, 1997, the Water Management Board denied your request for reinstatement of Water Right No. 2895-3. This action means the motion passed on March 5, 1997, suspending your water right for three years is still effective.

Your letter of April 28, 1997, was presented to the Board for their consideration. They were also made aware that since their March 5th hearing, the 1996 irrigation questionnaire had been returned. However, since the three year suspension occurred as a result of the second violation of your water right, the Board felt it was necessary to speak directly to you. Since you were not present at the hearing, the Board could not question you about reasons for past violations and your plans to avoid similar violations in the future.

The Water Management Board's action included a motion stating there was no possibility of reinstatement for the 1997 irrigation season. Future requests for reinstatement would be limited to the 1998 and 1999 irrigation seasons. If you have any questions regarding your water right or the Board's action, please contact Genny McMath at (605) 773-3352.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on May 6, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 5, 1997, regarding Suspension of Water Right No. 2895-3, addressed as stated below:

Kelley George, RR 1, Box 77, Elk Point, SD 57025.

A copy of the above described Notice was sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

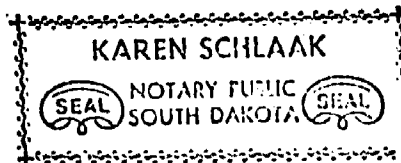
Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of May, 1997

Karen Schlaak

Notary Public



KAREN SCHLAAK, Notary Public
My Commission Expires
July 1, 2000

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Kelley George

ADDRESS: RR1 Box 7, Elk Point, SD 57025

COUNTY: DG

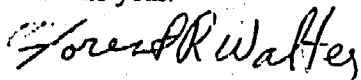
DATE: 10-22-98

TELEPHONE: 356-2598

RE: Suspended Water Permit Investigation

COMMENTS:

While in this area on a well run, I drove past this location on 10-20-98 to check if there had been use of this system this year. Soy beans had been harvested from this acreage and the wheel ruts of the center pivot showed evidence that the center pivot had been used this year.



Forest Ross Waiter
Natural Resource Technician

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 2895-3, Kelley George

ADDRESS: COUNTY: Union

DATE: August 11, 1999 (9:30 AM) TELEPHONE:

RE: Drive by suspended Water Right No. 2895-3

COMMENTS:

I drove by the NW ¼ Section 5, T90N, R49W to see if it was being irrigated. This quarter section is authorized for irrigation by Water Right No. 2859-3 and is under suspension from 1997 through 1999 for failure to submit the irrigation questionnaire.

A center pivot is located on the property. At the time I drove by there was no irrigation taking place. From the appearance of the crop it did not appear that irrigation has recently taken place on this property. The southeast portion of this property did appear to have a drainage area where water was present. I do not know whether this water was a product of rainfall or if irrigation had taken place. The corn planted in this quarter did not appear to be in as good of condition as other irrigated corn in nearby fields.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Thompson



2895-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: KELLEY GEORGE, 32722 477TH AVE, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol, 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) 2895-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

2895-3

SENDER COMPLETION 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:

KELLEY GEORGE
32722 477TH AVE
ELK POINT SD 57025

COMPLETE THE SECTION OF DELIVERY

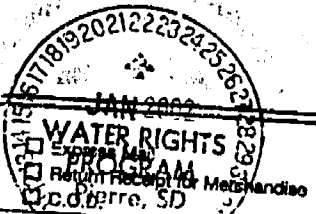
A. Received by (Please Print Clearly) B. Date of Delivery
1-17-02

C. Signature ☐ Agent
☐ Addressee
X *Judy George*

D. Is delivery address different from item 1? ☒ Yes
☐ No
If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail



4. Restricted Delivery? (Extra Fee)

☐ Yes

2. 7001 2510 0004 4797 4302

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 2002

2895-3

Kelley George
32722 477th Ave
Elk Point SD 57025

Dear Mr. George:

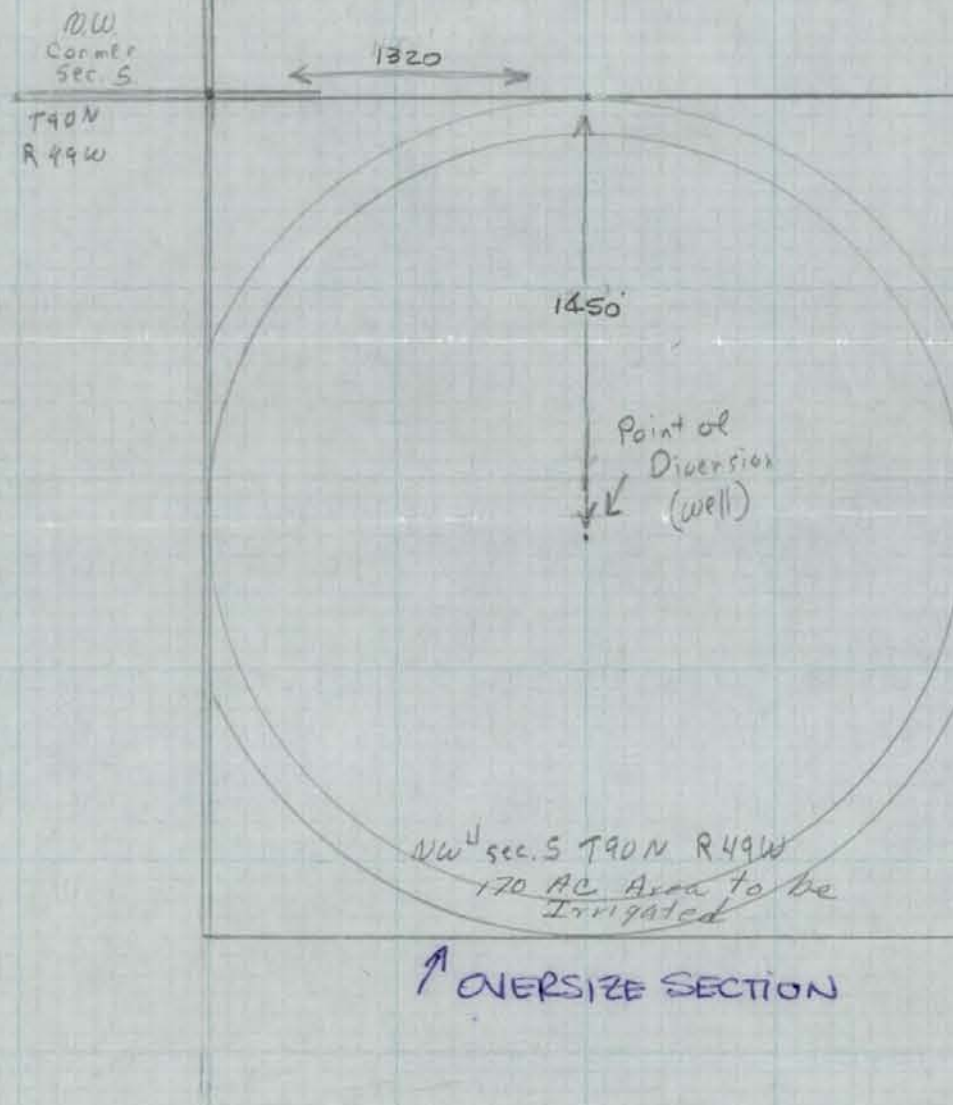
I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 2895-3.

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



scale 8 inches = 1 mile

Kelly George Elk Point, South Dakota George Irrigation Project 170 acres to be irrigated			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed <u>Dave Davis</u> 7/19/72 Drawn <u>Dave Davis</u> 7/19/72 Traced _____ Checked _____	Date <u>7/19/72</u> Title <u>George Irrigation Project</u> Sheet <u>1</u> No. <u>1</u> of <u>1</u>	Approved by <u>J.M. Palmer</u> 7/19/72 Title _____ Drawing No. _____	



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 23, 2009

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3 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 11, 2009** 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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

March 5, 2009

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3.

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
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 22, 2010

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2010

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3

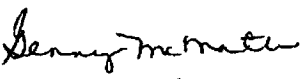
Dear Mr. Hanson:

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 or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 6190-3.

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
email: genny.mcmath@state.sd.us



2895-3
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 24, 2012

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 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 7, 2012** 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed 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: <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.

2895-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 6, 2012

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Right/Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. 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



2895-3

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 16, 2015

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 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 4, 2015** 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 Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed 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: <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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 26, 2015

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: 2014 irrigation questionnaires for Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

2895-3

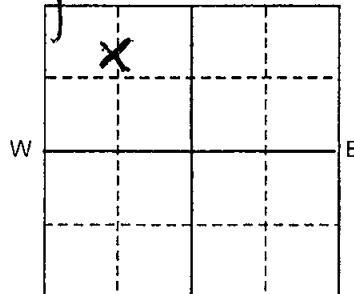
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 NW 1/4 Sec 5 Twp 90N Rg 49WCounty Union County North

Please mark well location with an "X"



Well Completion Date

11-18-15

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from _____ (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

REVERSE Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
Sch 40 LB/FT	<u>16"</u> IN	<u>0</u> FT	<u>90</u> FT	<u>28</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>		Lb/gal	<u>0</u> Ft	<u>65</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Pressure Grouted

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16 Inches Length _____ FeetMaterial PVC Schedule 40Slot Size 080' Set From 90 Feet to 120 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH Tablets
☐ No, Why Not? (Chlorine)

Lab to which water quality sample sent for analysis _____

Well Owner: Kelly George

Business Name: _____

Address: 32722 477 AVE.City, State, Zip: Elk Point, S.D. 57025

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil / Clay	0	18'
SANDY clay	18'	65'
SAND/gravel med texture	65	73
LARGE gravel/rocks/cobble	73	118'
Shale	118'	—

STATIC WATER LEVEL 14' FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

RECEIVED

WELL TEST DATA:

DEC 14 2015

☒ Pumped Describe:☐ Bailed☐ Other

WATER RIGHTS PROGRAM

Pumping Level Below Land Surface

36 Ft. After 2 Hrs. pumped 1000 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 1000 GPM

REMARKS

Replacement well for permit # 2895-3MISSOURI: Elk Point, SDThis well was drilled under license # 763 and this report is true and accurate.Drilling firm: Salmon well Co.

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

Kelly GeorgeDate: 11/18/15



2895-3
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 15, 2016

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed 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: <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.



2895-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 10, 2016

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Permit or Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3,
7159-3 & 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for the above listed water permits and water rights. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



2895-3

**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 20, 2017

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed 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: <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.



2895-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 7, 2017

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3
& 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



2895-3
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: DAN HANSON, 47644 327th St, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (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 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: <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.



2895-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 2018

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3

Dear Mr. Hanson:

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. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



2895-3
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, 2019

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (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 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: <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.

2895-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2019

Dan Hanson
47644 327th St
Elk Point SD 57025

RE: Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3,
7159-3, 7172-3 & 8287-3

Dear Mr. Hanson:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. 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, appearing to read "Genny McMath".

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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: DAN HANSON, 47644 327TH ST, ELK POINT, SD 57025

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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, 2024 at 9:30 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: EYZKZF**

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 30, 2024

2935-3, 2936-3, 2895-3,
3005-3, 4255-3, 4702-3,
6190-3, 7159-3, 7172-3 & 8287-3

Scott Hanson, Op
47674 327th St
Elk Point SD 57025

Dear Mr. Hanson:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 2935-3, 2936-3, 2895-3, 3005-3, 4702-3, 4255-3, 6190-3, 7159-3, 7172-3 & 8287-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

cc: DAN HANSON, 47644 327TH ST, ELK POINT SD 57025
KELLY GEORGE, 32722 477TH AVE, ELK POINT SD 57025

2895-3 2935-3
2936-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: DAN HANSON, 47644 327TH ST, ELK POINT, SD 57025
FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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, 2024 at 9:30 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: EYZKZF**

cc: KELLY GEORGE, 32722 477TH AVE, ELK POINT SD 57025

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.