

Water Right Number 3068-3

1. Considered 11-17, 19 76
2. Name of Applicant WILLIAM E. McDONALD
3. Post Office Address CHAMBERLAIN
4. Amount of water claimed 3.68
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 340
7. Water to be diverted and used in BROU County
about 1N, 3E Miles of CHAMBERLAIN
8. Proof of Publication
Received 11-8-76
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 3068-3Map No. 2372-3 Water Division No. 3 Missouri River District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant William E. McDonald
Postoffice address Chamberlain, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work McDonald Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 3.68
5. Source of water supply Lake Francis Case - Missouri River
6. Location of point of diversion South of NW corner of the SW quarter Sec. 2 T 104N-R71 W and north of the point 1000 ft. west of the SW corner of Sec. 2 T 104 N-R71 W
County Brule
7. Annual period or periods during which water is to be used Irrigation season
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 340

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.
NW $\frac{1}{4}$ Sec. 7 T 104-R 70		W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 7 T 104-R 70	
west of 5th P.M.	160 acres	west of 5th P.M.	80 acres
W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 7 T 104-R 70		W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 7 T 104-R 70	
west of 5th P.M.	80 acres	west of 5th P.M.	100 acres

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Chamberlain Register
12. Principal Features of the Proposed Water Supply System.

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

Centrifugal Pumps

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

Buried plastic pipe

C. Works proposed to apply water to beneficial use.

Traveling guns and center pivots

Estimated Total Cost \$ 115,000

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

STATE OF SOUTH DAKOTA)
) ss.
County of Brule)

I, William E. McDonald 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

William E. McDonald

Subscribed and sworn to before me this

1st

day of

OCTOBER1976

Jerry R. Anderson, P.E.
(Notary Public for other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3068-3
WILLIAM E. McDONALD CHAMBERLAIN
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57325 With the following modifications:
 (State)

Date of first receipt of application OCTOBER 4, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved NOVEMBER 18, 19 76 Recorded in Book 16 Page 181

WATER RIGHT PERMIT NO. 3068-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3068-3 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 OCTOBER 4, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 18, 19 78
3. The whole of said work is to be completed on or before NOVEMBER 18, 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 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 3.68 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 NOVEMBER 18, 19 81; said water to be used during the following described annual period: DURING IRRIGATION SEASON

Witness my hand this 20TH day of DECEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John H. Helt
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

No. 368-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brule) ss.

I, F. L. Buckingham, Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Chamberlain Register

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 Chamberlain

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

Oct. 28, 1976

Nov. 4, 1976

F. L. Buckingham, Jr.
(Signature)

Public Rep.
(Title)

Nov. 4, 1976
(Date Signed)

NOTICE OF INTENT
TO APPROPRIATE WATER

Pierre, SD 57501
October 20, 1976

Notice is hereby given that
William E. McDonald, whose
post office address is
Chamberlain, 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 3.68 cubic feet of
water per second of time from
the Missouri River through the
McDonald #1, the point of
diversion of which is to be
located in the NE1/4 SE1/4 of
Section 3, Twp. 104N, Range
71W. Said water to be used for
the purpose of providing
irrigation on the following
described land:

NW1/4, N1/2 SW1/4, W1/2
NE1/4, W1/2 SE1/4, Section 7,
T104N, R70W.

This application No. 3068-3
will be considered by the Water
Rights Commission at the
Marvin Hughtt Hotel in Huron,
South Dakota, upon the 17th day
of November, 1976, at 10:00
A. M. All interested persons
may appear and be heard.

WATER RIGHTS
COMMISSION

By: BURTON F. JONES
Water Rights Specialist
(Oct. 28 - Nov. 4)



Form 6. - Notice () Intent to Appropriate Water

No. 2008-3

Publish first publication, on or before

November 4, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 20, 1976

Notice is hereby given that William E. McDonald

whose post office address is Chamberlain, 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 3.62 cubic feet of water per

second of time from the Missouri River through the

McDonald #1, the point of diversion of which is to

be located in the NW 1/4 SE 1/4

of Section 3, Twp. 104N, Range 71W. Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4, W 1/2 SW 1/4, W 1/2 NE 1/4, W 1/2 SE 1/4, Section 7, T104N, R70W

This application No. 2008-3 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel in Huron, South Dakota

upon the 17th day of November, 1976 at 10:00 .M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ:bw
cc William E. McDonald, Chamberlain, SD 57325

William Mc Donald

Pump at River. Lincoln

150 HP. 1780 RPM

10th Nov

ser # 1700824

70th Nov

Pump. River

ser # 776116934, 1650 gpm

Type 5A P 16120, Type 5200

Booster Pump 1/2 way up river

Lincoln, 150 HP, 1780 RPM

ser # 1681137, 1.000 444 T.S

Pump. River. ser # 776116995

Type 5A D1 1/2, Type 5200

1750 RPM 1650 gpm

3068-3 William E. McDonald

7-13-19 Same pump as before

Same pump

Same standing gear

Club. May 1919. No pump

Same pump

WATER RIGHTS DIVISION
(605) 773-3352

January 12, 1984

Robert Healy
Pukwana, South Dakota 57370

Dear Mr. Healy:

Enclosed is the 1983 Irrigation Questionnaire pertaining to Water Permit No. 3068-3, William McDonald. Mr. McDonald indicated you had farmed this land for him during 1983. The permit authorizes irrigation of 340 acres in the NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 7, T104N, R70W.

Please complete the data sheet as accurately as possible, if you have not kept accurate records, estimations will be satisfactory. Return the questionnaire to this office upon completion.

Your assistance in this matter would be appreciated. If you have any questions contact this office.

Sincerely,

Genny McNath
Water Resources Analyst

GM:ms
Enc.

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

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181
April 12, 1985

Robert Healy, operator
Pukwana SD 57370

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) 3068-3. 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). 3068-3 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 of Amendment to Water Permit(s)

To: Robert Healy, operator
Pukwana, SD 57370

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

SUBJECT: Amendment to Water Permit No(s). 3068-3.

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). 3068-3 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.

cc: William McDonald, owner
408 E Stearns
Chamberlain SD 57325



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 3068-3

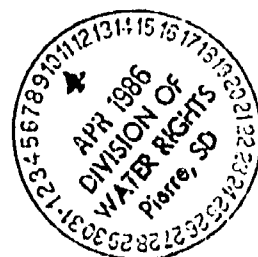
Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 3068-3 to add the following qualification:

"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

Robert Healy
RR
Pukwana, SD 57370

Re: Violation of Water Permit No(s). 3068-3

Our records indicate that the 1985 Irrigation Questionnaire has not been received for Water Permit No(s). 3068-3. 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). 3068-3 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). 3068-3 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
John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

*Robert Healy was killed
on November 11 in a farm
accident. Margaret Healy*

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.



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: RONNIE REIMER, RR #1 BOX 145, PUKWANA, SD 57370

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

SUBJECT: Violation of Water Permit No(s) 3068-3, 2706-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 3068-3, 2706-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2706-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 3068-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3068-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2706-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

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.

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:

RONNIE REIMER
RR #1 BOX 145
PUKWANA SD 57370

4a. Article Number

Z 348 318 808

4b. Service Type

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

7. Date of Delivery

01/31/96

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Ronnie Reimer*

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1996

2706-3

3068-3

Ronnie Reimer
RR 1 Box 145
Pukwana, SD 57370

Dear Mr. Reimer:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 3068-3 and Violation of the Requirement to Submit the 1995 Irrigation Questionnaire for No. 2706-3.

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

3068-3



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

OCT 17 1996

5885-3

William E. McDonald
114 South Crawford
Chamberlain, SD 57325

Dear Mr. McDonald:

Enclosed is Water License No. 5885-3 and Receipt No. 415068 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 5885-3 is the final document which completes the process of obtaining a water right.

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

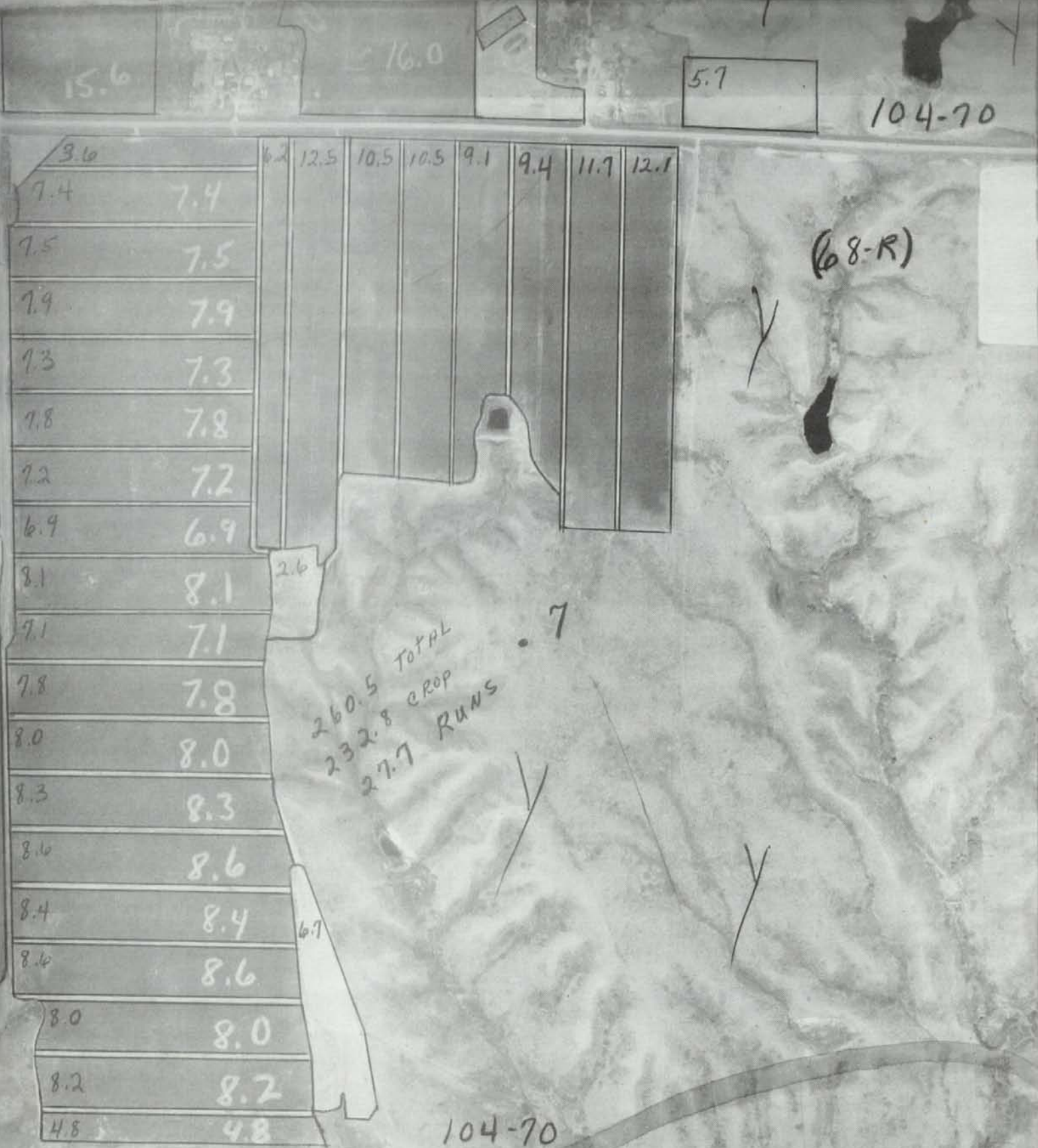
Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 3068-3 have been incorporated into this Water License No. 5885-3.

NOT TO SCALE

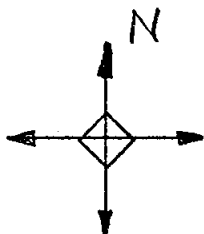
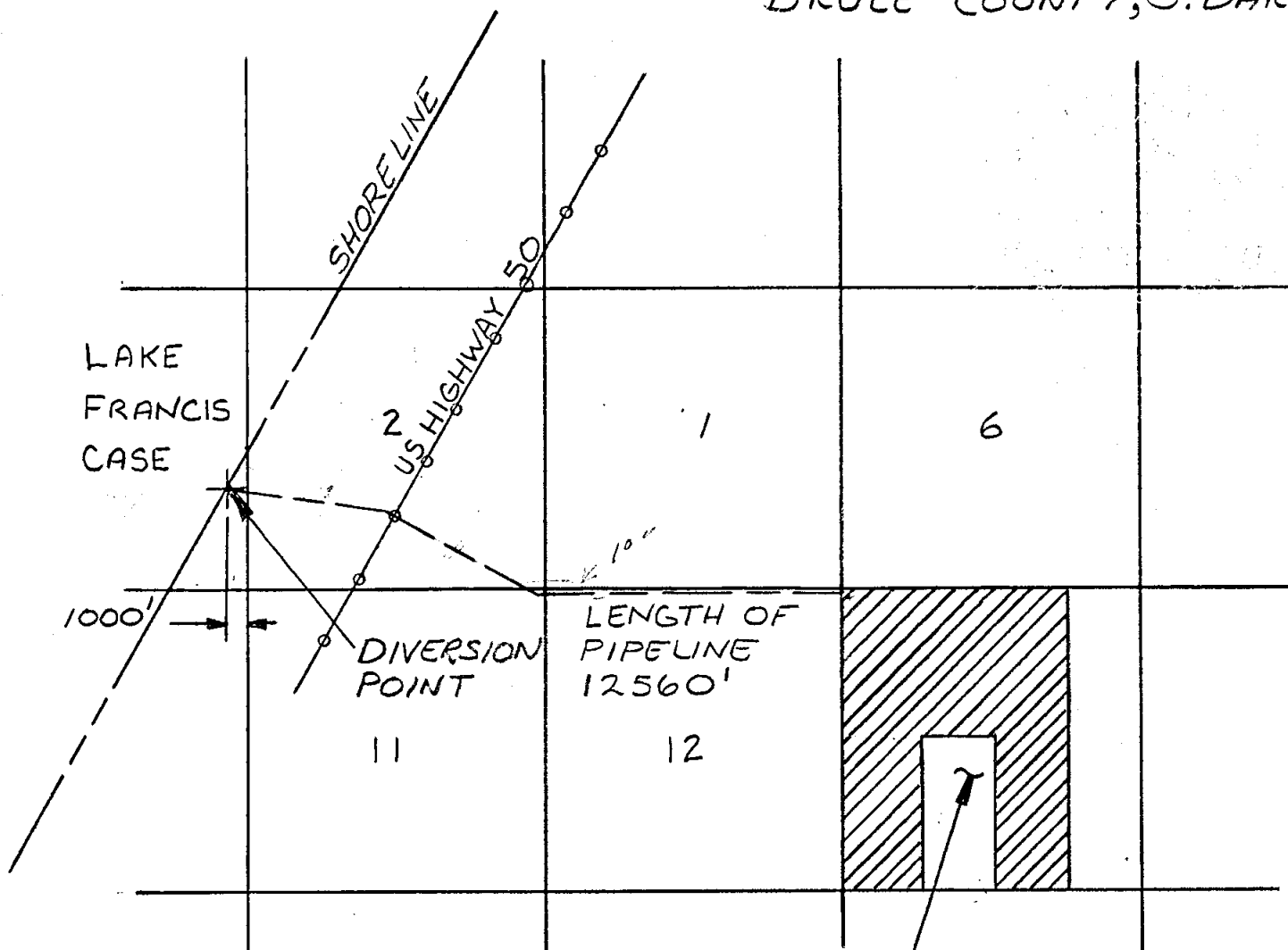


Maple 2592-3
April 3068-3

BY JRA DATE 10/1/76 SUBJECT MCDONALD
 CHKD. BY _____ DATE _____ IRRIGATION PROJECT #1

SHEET NO. 1 OF 1
 JOB NO. _____

BRULE COUNTY, S.DAK.



SECTION 7
 TOWNSHIP 104
 RANGE 70 WEST OF 5TH P.M.
 WILLIAM E. MCDONALD, OWNER
 CHAMBERLAIN, S.DAK.

LEGEND

- SECTION LINE
- PIPELINE
- SHORELINE
- PUBLIC ROAD
-  IRRIGATED LAND

ELEVATION OF
 HIGH WATER LINE 1365 FT.
 CAPACITY OF
 RESERVOIR AT HIGH
 WATER 4,650,000 AC.FT.
 U.S. ARMY CORPS OF ENGINEERS
 OWNER OF LAND UNDER
 WATER

MAP N 2392-3 APR 23 1968-3