

Water Right Number 331.1-3

1. Considered 1-26, 19 77
2. Name of Applicant GERALD G. HAMMAN
3. Post Office Address WAUBAY
4. Amount of water claimed 2.0
5. Source of water supply LOCAL LUNOFF (100 AC FT STORAGE)
6. Water to be used for IRRIGATION
Acres to be irrigated .8
7. Water to be diverted and used in LEY County
about 75.1E Miles of WAUBAY
8. Proof of Publication
Received 1-3-77
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 3314-3Map No. 2600-3 Water Division No. 3 BIG SIOUX 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 GERALD C. HAMMAN RAIL-BOX 98
Postoffice address WAUBAY, State SO DAK.

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work HAMMAN IRRIGATION #14. Amount of water claimed (cubic feet per second) 100 ACRE-Feet5. Source of water supply RUNOFF6. Location of point of diversion CENTER OF 35-121-54

7. Annual period or periods during which water is to be used JUNE-SEPT County DAY
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 392
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 1/4 NW 1/4 35-121-54	40	NW 1/4 SW 1/4 35-121-54	40
NE 1/4 NW 1/4 35-121-54	40	SW 1/4 SW 1/4 35-121-54	40
SE 1/4 NW 1/4 35-121-54	40	LOTS 1, 2, 3, 4- 35-121-54	152
SW 1/4 NW 1/4 35-121-54	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 year.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication WAUBAY CLIPPER

12. Principal Features of the Proposed Water Supply System.

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

DIKE + DITCHING

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

PUMP + PIPE

C. Works proposed to apply water to beneficial use.

SPRINKLER: TRAVELLING GUNEstimated Total Cost \$ 25000.00

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

STATE OF SOUTH DAKOTA

County of Burns

I, Gerald Hamman, 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 Gerald HammanSubscribed and sworn to before me this 25th day of August, 1976

Ellie McDowell
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3314-3
GERALD G. HAMMAN WAUBAY Rt. 1 - Box 98
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57273 With the following modifications:
 (State)

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 100 ACRES
 FEET OF WATER ANNUALLY

Date of first receipt of application AUGUST 30 19 76
 Date of return to applicant for correction, amendments or changes required OCTOBER 26 19 76
 Date of receipt of corrected application DECEMBER 2 19 76
 Approved JANUARY 26 19 77, Recorded in Book 16 Page 319

WATER RIGHT PERMIT NO. 3314.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3314.3 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 30 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 26 19 77
3. The whole of said work is to be completed on or before JANUARY 26 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26 19 79
5. The water appropriated shall be used for the purpose of IRRIGATION EXTENSION OF TIME
1-26-78
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 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 26 19 79; said water to be used during the following described annual period: JUNE - SEPTEMBER

Witness my hand this 31ST day of MARCH 19 77

WATER RIGHTS COMMISSION

By:

John K. Ketchum
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ 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.

APPROXIMATELY 10 ACRES AREA OF STORAGE DIKE WILL BE BUILT ON NORTH SIDE OF POND TO STORE RUNOFF WATER. MAXIMUM DEPTH - 15 FEET. (SCENAR)

THE DIKE WILL BE BUILT IN THE BASIN WHERE RUNOFF NORMALLY STANDS. DIMENSIONS OF THE DIKE WILL INCLUDE APPROXIMATE 10 FOOT SIDEWALLS, ABOVE GROUND SURFACE. ALL OF THE LAND SURROUNDING THE POND AND THE POND BELONG TO THE APPLICANT.

THE GENERAL IDEA IS TO STORE RUNOFF WATER THAT RUNS INTO BASIN FOR IRRIGATION. THEREBY UTILIZING THE WATER AND THE BASIN CAN BE FARMED ALSO.

Small Hammon
Signature of Applicant

THERE IS NO WATER IN THE SLOUGHS AT PRESENT.

SMALL ADDITIONAL RESERVOIR WILL BE BUILT IN N.W. CORNER OF SEC 35, TO ACCOMMODATE ADDITIONAL STORAGE.

Form 6 - Notice of Intent to Appropriate Water

No. 3314-3

Publish first publication, on or before January 12, 19 77

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

December 15, 19 76

Notice is hereby given that Gerald G. Hamman
whose post office address is Waubay, 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
2.0 cubic feet of water per second of time from the excess through the
Hamman # 1, the point of diversion of which is to be located in the

NE 1/4 SW 1/4 & NW 1/4 NW 1/4
of Section 35, Twp. 121N, Range 54W. Said water to be used for the purpose
of providing irrigation on the following described land:

NW 1/4, NE 1/4 SW 1/4, Lots 1, 2, 3 & 4, Section 35, T121N, R54W

This application No. 3314-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 19 77, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw
cc: Gerald G. Hamman, Waubay, SD 57273

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

No. ~~###~~ 3314-3

PROOF OF PUBLICAT ON

STATE OF SOUTH DAKOTA)
County Day) ss.

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

Water was taken from the WAUBAY CLIPPER

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 WAUBAY

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

Dec. 22, 1976

Dec. 29, 1976

Arthur W. Anderson
(Signature)

Ed. - Pub.
(Title)

12-30-76
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, S. Dak 57501
December 15, 1976

Notice is hereby given that
Gerald G. Hamman whose post
office address is Waubay, South
Dakota, has made an applica-
tion in accordance with the pro-
visions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.0 cubic feet of water per sec-
ond of time from run off
through the Hamman No. 1, the
point of diversion of which is
to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35,
Twp. 121N, Range 54W. Said
water to be used for the pur-
pose of providing irrigation on
portions of the following des-
cribed land:

NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Lots 1,
2, 3 and 4, Section 35,
T121N, R54W.

This application No. 3314-3
will be considered by the Wa-
ter Rights Commission at their
office at Pierre upon the 26th
day of January, 1977, at 10:00
A.M. All interested persons
may appear and be heard.

WATER RIGHTS COMMISSION
BURTON F. JONES,
Water Rights Specialist
(Pub. Dec. 22, 29, 1976)



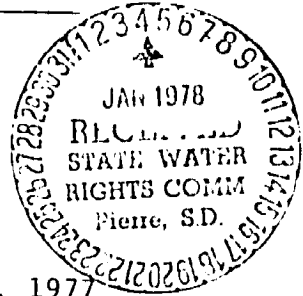
Form 18.

No. 3314-3

APPLICATION FOR EXTENSION OF TIME

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

Date December 30, 1977



Dear Sirs:

In Water Right Permit No. 3314-3 it is specified that the water diversion system is to be completed by January 26, 1978 and that the water is to be put to the limit of beneficial use by January 26, 1979.

I hereby request that the date for completing the diversion system be extended to January 26, 1982 and that the date for putting the water to the limit of beneficial use be extended to January 26, 1986.

The extension of time for the completion of these works is requested for the following reasons: did not request enough time on the original
application.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

Donald Homan
(Signed)

Permit Number _____

APPROVED:

WATER RIGHTS COMMISSION

BY:



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

January 30, 1978

Gerald Hamman
Waubay, SD 57273

Dear Mr. Hamman:

This is to inform you that your request for extension of time dated December 30, 1977 for Water Right Permit No. 3314-3 has been approved by the Water Rights Commission as follows:

The date for completing construction of the water system has been extended to January 26, 1982, and the date for putting the water to the limit of beneficial use has been extended to January 26, 1986.

Enclosed herewith is Receipt No. 4-6304 for \$2.50 fee for filing of this Approval of Extension of Time.

Very truly yours,

WATER RIGHTS COMMISSION

BY:

BETTY WESTLUND
Water Rights Specialist I

BW/gy

encl

South Dakota
Department of
Water & Natural Resources

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

March 23, 1987

GERALD HAMMON
RR #2, BOX 98
WAUBAY, SD 57273

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

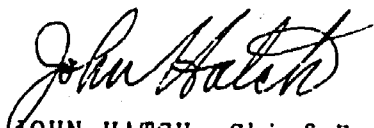
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4191-3, 4315-3, 3834-3, 3314-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of 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 2:00 pm, May 6, 1987 in Room 216, 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. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 4191-3, 4315-3, 3834-3, 3314-3 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.



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

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

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

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

April 13, 1987

3314-3
3834-3
4191-3
4315-3

Gerald Hammon
RR #2 Box 98
Waubay, SD 57273

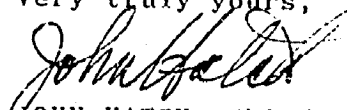
Dear Mr. Hammon:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 3314-3, 3834-3, 4191-3 and 4315-3 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

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 28, 1991

3314-3

Gerald Hamman
Rt 2 Box 98
Waubay, SD 57273

Dear Mr. Hamman

This is in regard to the water permit inspection that I made for Water Permit Nos. 3314-3, 3834-3 and 4151-3 on August 26, 1991. In reviewing the files I found that you never got a Soil/Water Compatibility Permit for the land you have irrigated in the Lots 3 and 4 of Section 35 T121N-R54W and Lot 2 of Section 22 T121N-R53W (the SE1/4 of Section 35). The Division of Conservation requires this permit for any irrigation project, and this office will not be able to issue the water license until this is taken care of.

I am enclosing a partially completed application and instruction sheet. Please complete and sign the application before a Notary Public and return it to this office. I spoke to Jim Stukel, with the Division of Conservation, he indicated that you will need to take a new water sample and have it tested. You should follow the instruction sheet concerning the water sample.

If you have any questions, feel free to contact Jim Stukel (605) 773-3259 or myself.

Sincerely,

Mark D. Rath

Mark D. Rath
Natural Resources Engineer II
Division of Water Rights
(605) 773-3352

enclosures
cc: Division of Conservation



3314-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 14 1994

4191-3

Gerald Hamman
RR 2, Box 98
Waubay, SD 57273

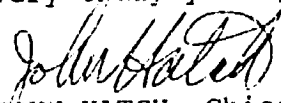
Dear Mr. Hamman:

Enclosed is Water License No. 4191-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413934 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4191-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,


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

gm
enclosures

NOTE: The applicable portions of Water Permit Nos. 3314-3 and 3834-3 have been incorporated into this Water License No. 4191-3.

Leslie Sloan - C.E.D. Day Co.

MAP N^o 3314-3 Appl N^o 3314-3

