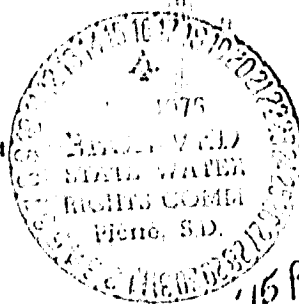


Water Right Number 3224-7

1. Considered 1.21, 19 1977
2. Name of Applicant James H. Hyde
3. Post Office Address Highway 100
4. Amount of water claimed 1.87
5. Source of water supply 105' well
6. Water to be used for irrigation
Acres to be irrigated 327
7. Water to be diverted and used in HYDE County
about 19 N Miles 19 of Highway 100
8. Proof of Publication
Received 1-7-77
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____
9. Application
10. Remarks:

No. 3334-3Map No. 2620-3 Water Division No. 3 JAMES 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 SPEED Mc CLOUD
 Post office address HIGHMORE, S.D., State S.D. 55345
 If a corporation show date and place of incorporation NO
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work WELL - PIPE LINE McCloud #1
4. Amount of water claimed (cubic feet per second) 600 - 800 GAL. PER MIN. - 1.87
5. Source of water supply WELL
6. Location of point of diversion WELL LOCATED ON N/W 1/4 OF SEC. 11 T15N R2E
 County HYDE
7. Annual period or periods during which water is to be used APRIL THRU OCTOBER
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 320

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.
S/W 1/4 OF SEC 18 T15N R2E	160		
N/W 1/4 OF SEC 11 T15N R2E	160		

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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication HIGHMORE Herald
12. Principal Features of the Proposed Water Supply System. WELL

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

PIPE LINE

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

PIPE LINE

C. Works proposed to apply water to beneficial use.

PIPE LINE TO CENTER P.O.Estimated Total Cost \$ 55000Attachments: 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 HydeI, John M. Chase, 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.Subscribed and sworn to before me this 17th day of November, 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3334-3
SPEED M. C. C. O. HIGHMORE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57345 With the following modifications:
 (State)

The irrigation well approved under this Permit is located near domestic 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 adequate domestic wells.

Date of first receipt of application NOVEMBER 16, 19 76
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application DECEMBER 15, 19 76
 Approved: JANUARY 26, 19 77, Recorded in Book 17 Page 105
 WATER RIGHT PERMIT NO. 3334-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3334-3 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 NOVEMBER 16, 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 78
3. The whole of said work is to be completed on or before JANUARY 26, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26, 19 83
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 1.87 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 83, said water to be used during the following described annual period: APRIL THEN OCTOBER

Witness my hand this 27th day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John H. Hirsch
 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)

B. Well Characteristics and Details

(1) Well Diameter _____ 16" _____ Depth _____ 130' _____
 (2) Casing Type STEEL Diameter _____ 14" _____ Thickness _____ 1/4" _____
 (3) Well Screen Type _____ Diameter _____ 14" _____ Length _____ 30' _____
 (4) Gravel Pack Thickness _____ 8" _____ Length of gravel pack _____ 50' _____

C. Dugout Characteristics and Details

(1) Dugout Diameter _____ Depth _____

D. Equipment for Existing Well or Dugout

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

Character of water-bearing materials: SEE LOG ATTACHED.

Depth to top of water-bearing material: SEE LOG -
 Depth to bottom of water-bearing material: SEE LOG -
 Thickness of water-bearing material: SEE LOG.
 Depth to water (measured surface to water level): 44'

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

On owner's property: NONE ft. On property owned by others: 1/2 MILE ft.

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.

[Signature]
 Signature of Applicant

Oake Drilling Company

DUANE MARTIN
Phone 845-7572 — Airport Road
MOBRIDGE, SOUTH DAKOTA 57601

ALL WORK GUARANTEED

- Farm Wells
- Domestic Wells
- Test Holes
- Irrigation Wells
- Municipal Wells

11-12, 1976

Ag. McCloud

Higginville S.D.

245' TEST HOLE + 2" DIA	490	00
Plus 2" 3/4" DIA for casing &	300	00
Pressure for 1200'	TOTAL	790 00
0-2 top soil		
2-30 yellow clay		
30-85 blue clay		
85-105 fill		
105-125 gravel		
125-170 SATURATED BLUE CLAY		
170-245 CLAY FIRMS UP		

PAUL WORM CALLED :

DRILLED WELL IN
THE SW4 (CENTER OF)
RATHER THAN THE NW4
OF SEC. 11, T115N, R72W.

1



April 28, 1977

Department of Natural Resource Development
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is in regard to water rights permit no. 3334-3.

I originally intended to drill my well on the NW $\frac{1}{4}$ of section 11, T-115, R-72, but due to more testing the well was drilled on the SW $\frac{1}{4}$ of section 11, T-115, R-72.

I plan to irrigate the same area as indicated on my permit.

I would like to have the well location changed on my permit.

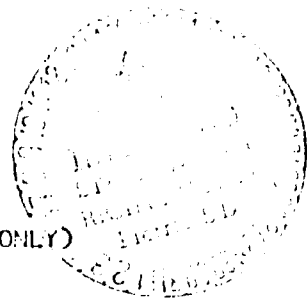
Thank you.

Sincerely,

Speed McCloud
Speed McCloud
Highmore
South Dakota 57345

852-2485

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



NAME SPEDD MOBLION
ADDRESS HIGHMORE, S.D. 57345
COUNTY HYDE

LEGAL DESCRIPTION

1. WELL LOCATION N/W 1/4 OF SEC 11 115/72
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 AND NW 1/4 OF SEC 11 115/72

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT 1 GUN _____
4. CROPS TO BE IRRIGATED HAIRLEAF - CORN

WATER QUALITY

5. SAMPLE NUMBER 76-1858
6. SALINITY (EC X 10⁶) 17.38 (high)
7. SODIUM (SAR) 2.99 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

[Signature]
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
14th DAY OF September 19 76

[Signature]
(TITLE OR SEAL)

[Signature]
APPROVED/DISAPPROVED

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

Submitted by: Speed McCloud
 Address: Highmore, SD 57345

Date Rec'd November 16, 1976
 Sample No. 76-1858
 Identification Well-130'
NE1, Sec. 11, T. 115N, R. 72W

WATER ANALYSIS

Calcium (Ca)	247	ppm*	12.35	me/l**
Magnesium (Mg)	67	ppm	5.49	me/l
Sodium (Na)	121	ppm	5.26	me/l
Potassium (K)	15	ppm	0.39	me/l
Sulfate (SO ₄)	704	ppm	14.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	136	ppm	3.81	me/l
Bicarbonate (HCO ₃)	444	ppm	7.28	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	364	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1738	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.99			
Sodium	22.39	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.26			
Others:				

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

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

COMMENTS: Total cations 23.49 me/l
 Total anions 25.73 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$8.00 Paid

Make checks payable to: Water Quality Laboratory

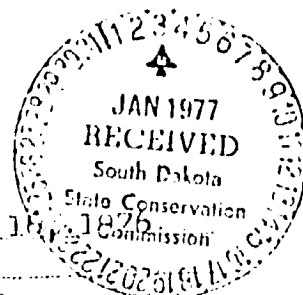
Cut along dotted line and return the lower portion with payment

Sample No. 76-1858

Amount Enclosed \$

Signed.....

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

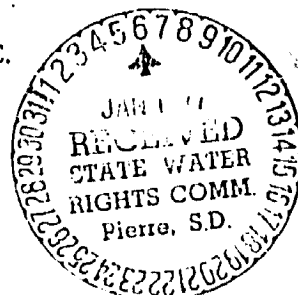


Submitted by: Speed McCloud
Address: Hillmore, SD 57345

Date Rec'd: December 18, 1976
Sample No.: 76-2032
Identification: Well-125
Sec. 11, T. 115N, R. 92W

WATER ANALYSIS

Calcium (Ca)	151	ppm*	7.55	me/l**
Magnesium (Mg)	38	ppm	3.12	me/l
Sodium (Na)	75	ppm	3.26	me/l
Potassium (K)	9	ppm	0.23	me/l
Sulfate (SO ₄)	225	ppm	4.69	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.15	me/l
Bicarbonate (HCO ₃)	503	ppm	8.24	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	412	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1120	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.41			
Sodium	23.02%	of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.20			



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

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

COMMENTS: Total cations 14.16 me/l
Total anions 13.08 me/l

By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2032

Amount Enclosed \$

Signed



December 8, 1976

Mr. Speed McCloud
Highmore, SD 57345

Dear Mr. McCloud:

Your water sample (Lab. No. 76-1853) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County HYDE)

I, Irwin D. Hayes hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Highmore Herald

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 Highmore

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

December 30, 1976

January 6, 1976

Irwin D. Hayes
(Signature)

Publisher
(Title)

January 7, 1977
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Notice is hereby given that
Speed McCloud whose post office
address is Highmore, 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 1.87 cubic feet of
water per second of time from
ground water through the
McCloud # 1, the point of diver-
sion of which is to be located in
the center of the NW 1/4 of Sec-
tion 11, Twp. 115N, Range 72W.
Said water to be used for the pur-
pose of providing irrigation on
portions of the following de-
scribed land: W1/2, Section 11,
T115N, R72W.

This application No. 3334-3
will be considered by the Water
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
By: BURTON F. JONES
Water Rights Specialist

FPNO 13

LPNO 14



Form 6 - Notice of Intent to Appropriate Water

No. 3334-3

Publish first publication, on or before January 13, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 17, 19 77

Notice is hereby given that Speed McCloud
whose post office address is Highmore, 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
1.87 cubic feet of water per second of time from the ground water through the
McCloud # 1, the point of diversion of which is to be located in the

center of the NW 1/4
of Section 11, Twp. 115N, Range 72W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

W 1/2, Section 11, T115N, R72W

This application No. 3334-3 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:

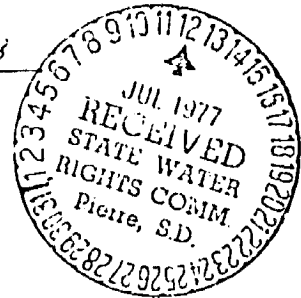
BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Speed McCloud, Highmore, SD 57345

Form 10.

No. 3334-3



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

Post Office HIGHMORE, S.D.
Date 7-11-77

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

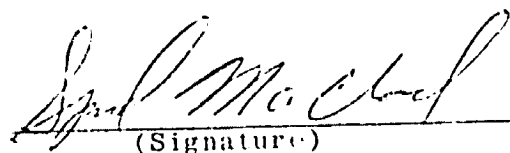
Dear Sirs:

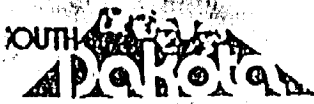
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3334-3

Water Right Permit No. 3334-3 states that the diversion system is to be constructed by Nov. 16, 1979 and that the water is to be put to beneficial use by Nov. 16, 1979.

The diversion system was completed on JUNE 24, 1977.
Applying the water to beneficial use was completed on JUNE 24, 1977.

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


(Signature)



Department of Water & Natural Resources

Jon Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 773-3352

July 25, 1980

Speed McCloud
Highmore, SD 57345

RE: 3334-3

Dear Mr. McCloud:

We have received a report that you have or plan to pump water from your irrigation well into one or more dugouts or dams. The Water Management Board has not raised any objection in the past to irrigators filling dugouts or small stock dams from an irrigation well as needed for livestock watering as long as such pumping is reasonable.

Your neighbors were in this office this week concerning the loss of head pressure in the area of your irrigation well and the affect on their wells. They were concerned that if several dams or dugouts were filled, that this would increase the head pressure decline.

I advised them that head pressure was not protected and that your Permit No. 3334-3 did not authorize filling several dugouts or dams. If you want to fill more than one small dam you should contact us before doing so.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

bcc: Junior Nickelson
Larry Weidenbath
Ron Vanderburg

Equal Opportunity Employer



Department of Water & Natural Resources

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

March 23, 1987

SPEED MCCLLOUD
HIGHMORE, SD 57345

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). 3334-3. 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 5, 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). 3334-3 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.



Department of Water & Natural Resources

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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: SPEED MCCLOUD

HIGHMORE, SD 57345

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Amendment to Water Permit No(s). 3334-3

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 3334-3 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.



Department of Water & Natural Resources

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

May 11, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: SPEED MCCLOUD

HIGHMORE, SD 57345

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

A handwritten signature in cursive script, reading "John Hatch".

SUBJECT: Amendment to Water Permit No(s). 3334-3

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 3334-3 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.

Attachment to Water Permit No. 3334-3

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 3334-3 to add the following qualification:

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

SOUTH DAKOTA Department of
Water & Natural Resources

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

June 2, 1987

NOTICE

TO: Speed McCloud
Highmore SD 57345

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: 1986 Irrigation Questionnaire



The attached notice was sent certified mail-return receipt requested. The post office has returned the certified mail-return receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you May 14 and May 28, 1987 to pick up and sign for the certified mail.

if you have any questions, please contact us.

CERTIFICATION

I hereby certify that on June 2, 1987 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT addressed to:

Speed McCloud, Highmore SD 57345

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 2nd day of June, 1987.

JOHN HATCH
 NO ARY PUBLIC
 SOUTH DAKOTA
 My Commission Expires Apr. 1, 1992

John H. Bates
Notary Public

 **Department of
Water & Natural Resources**

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

January 29, 1988

SPEED MCCLLOUD
RR 1 BOX 57
HIGMORE, SD 57345

NOTICE

Re: Violation of Water Permit No(s). 3334-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 3334-3. 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). 3334-3 qualification:

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

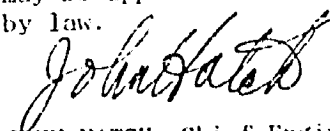
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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 SDCL 1-26.

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

1. Suspend Permit No(s). 3334-3 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.



Department of Water & Natural Resources

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

February 18, 1988

3334-3

Speed McCloud
RR 1, Box 57
Highmore SD 57345

Dear Mr. McCloud:

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. 3334-3 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 has been 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

**Department of
Water & Natural Resources**

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

February 17, 1989

Speed McCloud
RR 1, Box 57
Highmore, SD 57345

Dear Mr. McCloud:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

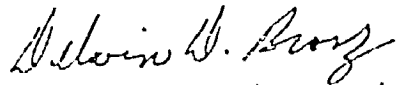


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division



SPEED MCCLOUD
RR 1 BOX 57
HIGHMORE SD 57345

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

NOTICE

RE: Violation of Water Permit No(F) 3334-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 3334-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 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) 3334-3 qualification:

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

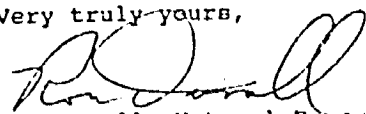
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, 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(s) 3334-3 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 4th hearing date, 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SPEED MCCLLOUD
RR 1, BOX 57
HIGHMORE, SD 57345

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 3334-3

The first notice to file chemigation report(s) for Permit No(s) 3334-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 3334-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 3334-3 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.

Very truly yours,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

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 Fee will provide you the signature of the person delivered to and the date of delivery.

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:

SPEER MC CLOUD
RR 1 BOX 57
HIGHMORE, SD 57345

4a. Article Number

P 906 557 824

4b. Service Type

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

7. Date of Delivery

1/29/92

5. Signature (Addressee)

6. Signature (Agent)

Paul McCloud

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



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

February 26, 1992

SPEED MCCLOUD
RR 1, BOX 57
HIGHMORE, SD 57345

Dear Mr. MCCLOUD:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No (s). 3334-3. You may disregard the January 27, 1992 Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report(s), your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

If you have any questions, please contact me at (605) 773-3355.

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division



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

February 27, 1992

3334-3

Speed McCloud
Box 317
Highmore, SD 57345

Dear Mr. McCloud:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Permit No. 3334-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

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

Genny McMath
Natural Resources Analyst
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

LAVONNE CORIO BAKER
RFD#1 BOX 63
JEFFERSON SD 57038

NOTICE

RE: Violation of Water Permit No(s) 2447-3 & 3344-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 2447-3 & 3344-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 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) 2447-3 & 3344-3 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, March 4, 1992, 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 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(s) 2447-3 & 3344-3 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 4th hearing date, 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



JUN 11 1993

3334-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

5735-3

Speed McCloud
Box 317
Highmore, SD 57345

Dear Mr. McCloud:

Enclosed is Water License No. 5735-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413779 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. 5735-3, 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.

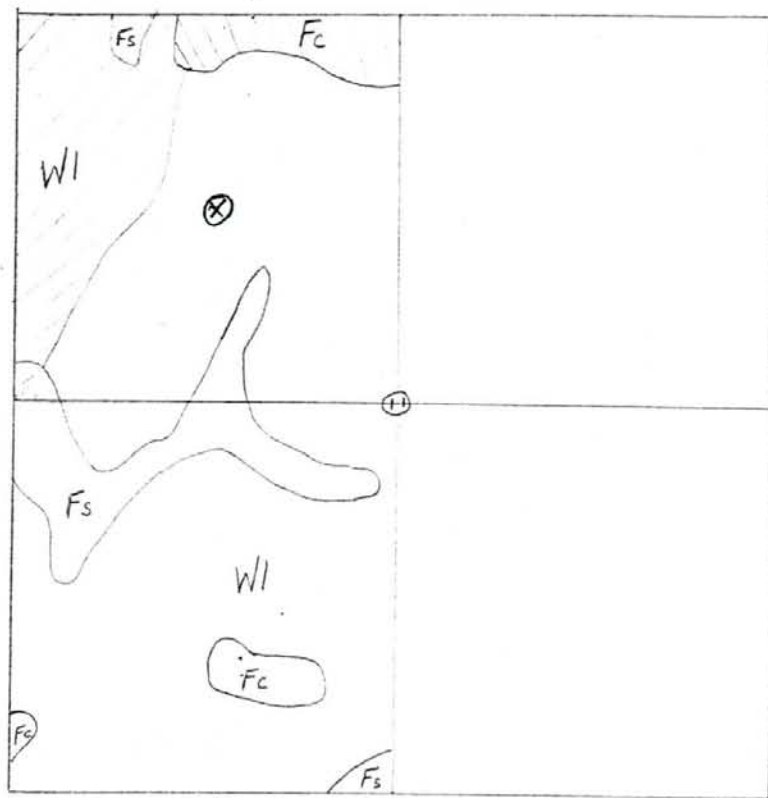
Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. (3334-3) are incorporated into this Water License No. 5735-2.

Speed McCloud
Hyde County
W $\frac{1}{2}$ Sec. 11 115-72



LEGEND

-  Fc: Fargo silty clay - Rough phase
- Fc: Fargo silty clay
- Fs: Fargo silt loam
-  Wl: Williams loam - Shallow phase
- Wl: Williams loam

Robert W. Lehman
District Conservationist - SCS
11-22-76

~~MAILED 3~~ APRIL NO 3334-3