

100' Deep well - 16" traverse casing

Super Foster 714 Line Pump 9.5.254

3 stage 12 KM line

Granville Pump Head 5100 10320 100 HP

Powered by International DI 550² 180 HP DIESEL

160 HP @ 2000 RPM

1550 RPM

80# pressure 800 GPM

1800' 6" Mainline

2-1280' 4" traverse

Painted

Run @ 85'

Model 7025 RD 1/2"

Water Right Lumber 3365-3

1. Considered 1-26, 1977
2. Name of Applicant LYNN MOLLETT
3. Post Office Address JEFFERSON
4. Amount of water claimed 1.7
5. Source of water supply 100' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 120
7. Water to be diverted and used in UNION County
about 25, 1E Miles of JEFFERSON
8. Proof of Publication
Received 1-17-77
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 3361-3Map No. 2651-3 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 Lynn Mollet
 Post-office address Box 267 Jefferson, State SD 57038
409
 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 Lynn Mollet #1
4. Amount of water claimed (cubic feet per second) 1.7 cfs
5. Source of water supply well
6. Location of point of diversion SE 1/4 NW 1/4 NE 1/4 sec 29 90 48

- County Union
7. Annual period or periods during which water is to be used Apr. through Oct.
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 120

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 NE 1/4 sec 29 90 48	40		
E 1/2 of NE 1/4 sec 29 90 48	80		

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 Leader Courier
12. Principal Features of the Proposed Water Supply System.

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

well

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

pipe

C. Works proposed to apply water to beneficial use.

Gated pipeEstimated Total Cost \$ 8500.00

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 Union

I, Lynn Mollet, 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 Lynn MolletSubscribed and sworn to before me this 15 day of Dec, 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3365-3
LYNN MCLETT (Applicant) Box 409 JEFFERSON (Post Office Address)
SOUTH DAKOTA 57038 (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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application DECEMBER 17, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application DECEMBER 23, 19 76
 Approved JANUARY 27, 19 77, Recorded in Book 17 Page 130

WATER RIGHT PERMIT NO. 3365-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3365-3 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 DECEMBER 17, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 27, 19 78
3. The whole of said work is to be completed on or before JANUARY 27, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 19 82
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 1.7 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 27, 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 8TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction issued SEPTEMBER 26, 19 79

Water License issued SEPTEMBER 26, 19 79

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, Depth 100
- (2) Casing, Type Transite Diameter 16 Thickness 1"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Transite, Diameter 16, Length 30'
- (4) Gravel Pack, Thickness 14, Length of gravel pack 50

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 _____

Well log will be sent later

Depth to top of water bearing material 50

Depth to bottom of water bearing material 100

Thickness of water bearing material 50

Depth to water (ground surface to water level) 15'

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

On same owner's property 40 rds. On property owned by others 80 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.

Lynn R Mollet
Signature of Applicant

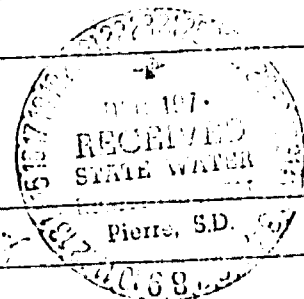
STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE WITH
SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Lynn Mable T
ADDRESS Box 267 Jefferson Co. Ga. 30547
COUNTY Union

LEGAL DESCRIPTION

- LEGAL DESCRIPTION
1. WELL LOCATION NE 1/4 29-90-45
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 29-90-45
- STATE WATER
Pierre, S.D.
40.68



TYPE OF IRRIGATION

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

WATER QUALITY

- WATER QUALITY
5. SAMPLE NUMBER 76-1870
6. SALINITY (EC $\times 10^6$) 1378 (high)
7. SODIUM (SAR) 0.63 (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 _____ 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.

APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
15 DAY OF January 19 76.

John P. Stewart
(TITLE OR SEAL)
Notary Public (SOILS INF)

APPROVED/IMP. APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Lynn Mollst
Address: Box 267
Jefferson, SD 57038

Date Rec'd November 18, 1976
Sample No. 76-1870
Identification Well-
NE1, Sec. 29, T 90N, R 48W

WATER ANALYSIS

Calcium (Ca)	177	ppm*	8.85	me/l**
Magnesium (Mg)	76	ppm	6.23	me/l
Sodium (Na)	40	ppm	1.74	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	175	ppm	3.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	24	ppm	0.66	me/l
Bicarbonate (HCO ₃)	571	ppm	9.36	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)	4.68	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1378	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.63			
Sodium	10.26	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.18			

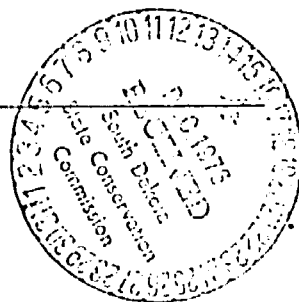
Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 16.95 me/l
Total anions 13.66 me/l



By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

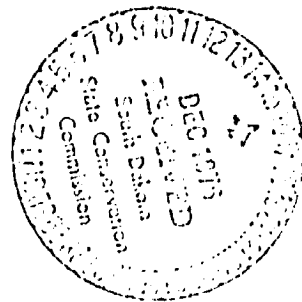
Cut along dotted line and return the lower portion with payment

Sample No. 76-1870

Amount Enclosed \$

Signed

December 14, 1976



Mr. Lynn Mollet
Box 267
Jefferson, SD 57038

Dear Mr. Mollet:

Your water sample (Lab. No. 76-1870) 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3365-3

(1) WHEREAS, On the 17th day of December A. D. 19 76
Lynn Mollett

made Water Right Application No. 3365-3 for a permit to use 1.7 cubic feet per second of the waters
of ground water (one well)

County of Union State of South Dakota, for Irrigation

purposes; and
(2) WHEREAS, On the 27th day of January A. D. 19 77

Permit No. 3365-3, with a date of priority of December 17, 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 27th day of January A. D. 19 80 and for the
application to beneficial use of said water on or before the 27th day of January A. D. 19 82

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 1.7 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 land as follows all in Section 29, T90N, R49W

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

TOTAL 120 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota We hereby grant and confirm to Lynn Mollett

_____ of Jefferson
the holder _____ and owner _____ of said permit No. 3365-3 a water right, dating from December 17, 1976
_____ to use of 1.7 cubic feet per second of the waters
of ground water (one 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 1300'S and 1300'W of the NE corner,
Section 29, T90N, R49W

and conduct to and upon portions of land in Section 29, T90N, R49W, more fully described on
the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3365-3 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 September A. D.
Nineteen Hundred and seventy-nine

Board of Water Management

By:

John Hatch

Chief Engineer

JOHN HATCH

Permit No. 3365-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Lynn Hollett

_____ the holder _____ of
Permit No. 3365-3, issued upon Application No. 3365-3, bearing date of priority of _____
December 17, 1976 authorizing the diversion of 1.7 cu. ft. per second of the waters of _____
ground water (one well) County of Union, State of South Dakota at _____
a point 1300'S and 1300'W of the NE corner, Section 29, T90N, R49W

_____, for Irrigation

_____, has _____ 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 1.7 cu. ft. per second of water

Date September 26, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WWD

Form 6 - Notice of Intent to Appropriate Water

No. 3365-3

Publish first publication, on or before January 13, 1977.

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 26, 1977

Notice is hereby given that Lynn Mollett
whose post office address is Jefferson, 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

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

Lynn Mollett # 1, the point of diversion of which is to be located in the

center of the NE $\frac{1}{4}$

of Section 26, Twp. 50N, Range 48W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 26, T90N, R48W

This application No. 3365-3 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

BFJ/bw

cc:

Lynn Mollett, Box 267, Jefferson, SD 57036

No. 3365-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester B. 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 Rock Point

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

January 6 - 1977

January 13 - 1977

Lester B. Emerson
(Signature)

Publisher
(Title)

January 13, 1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 28, 1976

Notice is hereby given that
Lynn Mollett whose post office
address is Jefferson, 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 1.7 cubic feet of
water per second of time from
ground water through the Lynn
Mollett #1, the point of diversion
of which is to be located in the
center of the NE $\frac{1}{4}$ of Section 29,
Twp. 90N, Range 48W. Said water
to be used for the purpose of pro-
viding irrigation on portions of
the following described land:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, Section
29, T90N, R48W

This application No. 3365-3 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 26th day of Jan-
uary, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones
Water Rights Specialist
Publish: January 6, 1977



Permit No. 3365-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by LYNN
MOLLETT of JEFFERSON holder
of Permit No. 3365-3, bearing date of priority of DECEMBER 17, 1976
authorizing the diversion of 1.7 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:

102' DEEP WELL WITH 16" TRANSITE CASING
LAYNE BOWLER WELL IN PUMP # R1525K - 3-STAGE - 12 KM BOWLS
AMARILLO GEAR HEAD 5-100 - 110320 - 100HP @ 1550 RPM
INTERNATIONAL DUS50B DIESEL - RATED @ 150HP AT 2400 RPM -
160HP AT 2000 RPM

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

1800' OF 6" ALUMINUM MAINLINE

C. Works used to apply water to beneficial use.

2. 1280' LONG 4" TOWLINES WITH BAINBRIDGE MODEL 1025
SPRINKLER HEADS W/ 1/4" ORIFICE 30" AT 80' SPACING
50 GPM / HEAD -

The system is in the following condition: GOOD

The point of diversion is located 1300'S & 1300' W OF THE NE CORNER,
SECTION 29, T90N, R49W

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)
cu. 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 SECTION 29, T90N, R49W

NW ¹ NE ²	4.0
NE ¹ NE ⁴	4.0
SE ¹ NE ¹	4.0

comprising a total of 120 acres of land.

Date AUGUST 21, 1979
Burtin J. J.
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7052

PIERRE, September 21, 1979

RECEIVED OF Lynn Rollett, Box 267, Jefferson, SD 57036
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>3365</u>	50	00
Fee for inspecting Beneficial Use, and Issuing Water License No. <u>3365-3</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 _____ (all other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH gy



3365-3
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: LYNN MOLLET, 33139 484TH AVE, JEFFERSON, SD 57038

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 has not been submitted for Permit No(s) 3365-3. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3365-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

3365-3

SENDER COMPLETE THIS SECTION

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

1. Article Addressed to:

LYNN MOLLET
33139 48TH AVE
JEFFERSON SD 57038

2.

PS For

A. Received by (Please Print Clearly)		B. Date of Delivery	
Lynn Mollet		1/17/02	
C. Signature		☐ Agent ☐ Addressee	
D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below: ☐ No			
3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.			
4. Restricted Delivery? (Extra Fee)		☐ Yes	

2595-09-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2002

234-3
3365-3

Ivan and Lynn Mollet
33139 484th Ave
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 234-3 and 3365-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

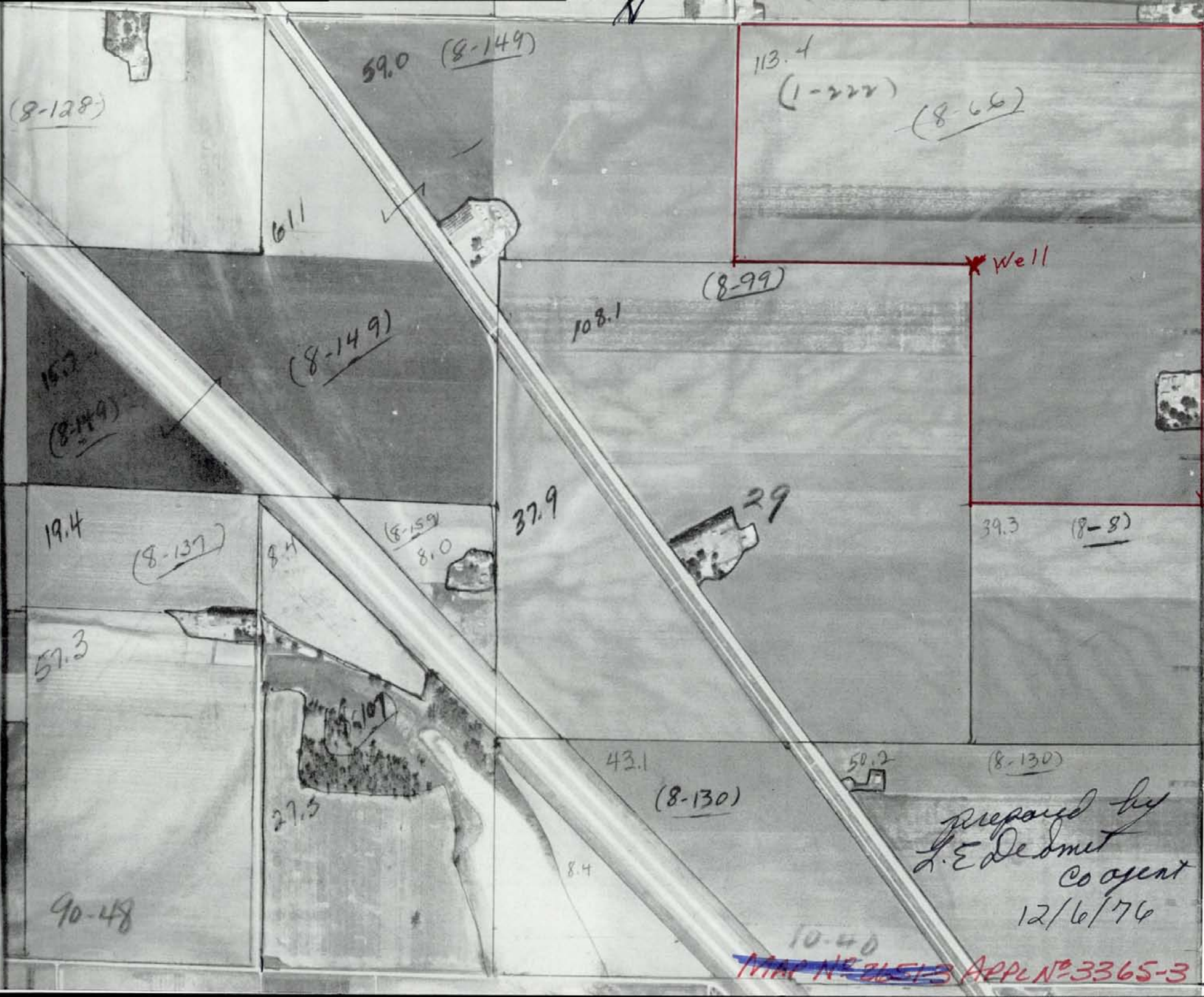
If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE

8-66



prepared by
L.E. DeDmet
Co agent
12/6/74

MAP NO 26513 APPL NO 3365-3



**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, 2014

NOTICE

TO: LYNN MOLLET, 33139 484TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 234-3 & 3365-3 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) 6630-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 6630-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 234-3 & 3365-3 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 questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, 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
www.denr.sd.gov

January 29, 2014

234-3
3365-3
6630-3

Lynn Mollet
33139 484th Ave
Jefferson SD 57038

Dear Mr. Mollet:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right Nos. 234-3 & 3365-3 and Water Permit No. 6630-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



3365-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

OCT 12 2017

3365-3

Lynn Mollet
33139 484th Ave
Jefferson SD 57038

Dear Mr. Mollet:

Enclosed is Reissued Water License No. 3365-3. The water license is being reissued because the original water license contained an error in the legal description of diversion point and the acres being irrigated. The range was described as being R49W and should have been described as being R48W.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing 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 Reissued 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 3365-3

(1) Lynn Mollet, 33139 484th Ave, Jefferson SD 57038 was issued Water License No. 3365-3, September 26, 1979 for a water right to divert 1.7 cubic feet of water per second from one well-Missouri:Elk Point Aquifer, Union County, South Dakota for irrigation purposes. Water License No. 3365-3, with a priority date of December 17, 1976 was and issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

The original water license contained an error in the legal description of diversion point and the acres being irrigated. The range was described as being R49W and should have been described as being R48W. The public notice published January 6 & 13, 1977 in the Leader-Courier contained the correct legal description. This license is being reissued to correct the error.

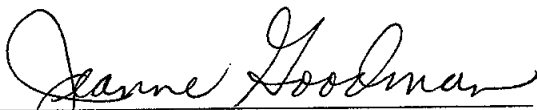
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Reissued Water Right No. 3365-3 is issued a license, bearing a priority date of December 17, 1976 to appropriate 1.7 cubic feet of water per second from one well – Missouri:Elk Point Aquifer to irrigate 120 acres.

The diversion point is located: in the approximate center of the NE 1/4 Section 29-T90N-R48W. The acres authorized for irrigation are as follows:

Section 29-T90N-R48W	NW 1/4 NE 1/4	40 acres
	NE 1/4 NE 1/4	40 acres
	SE 1/4 NE 1/4	<u>40 acres</u>
		120 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 3365-3 including the following qualification:

- The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from this 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 or in irrigation wells having prior water rights.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 12 2017

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: LYNN MOLLET, 33139 484TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 234-3 & 3365-3 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) 6630-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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) 6630-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 234-3 & 3365-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ABMTQM**

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 25, 2022

234-3
3365-3
6630-3

Lynn Mollet
33139 484th Ave
Jefferson SD 57038

Dear Ms. Mollet:

I am writing to acknowledge receipt of the information for your 2021 irrigation questionnaires. I completed forms for you based on our phone conversation yesterday.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 234-3, 3365-3 and 6630-3. 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
Genny.mcmath@state.sd.us