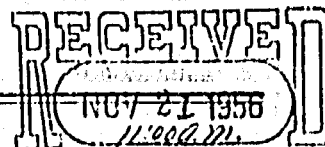


No. 343-3STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAWater Division No. 3 Jamez River District
(Blank to be filled by the Engineer for U. S. W. R. C.)VESTED/RIGHT
APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Huron ColonyPostoffice address Huron, County Beadle, State S. Dak.

I. If a corporation

(a) Name of same Huron Hutterian Mutual Society, Inc.(b) Date and place of Incorporation 1944

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors Jacob J. Wollmann, Jr., Mike M. Waldner,Mike J. Waldner, Jacob J. Wollmann, Huron Colony, Huron,South Dakota

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

completed

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Huron Colony Irrigation Project #13. Amount of water claimed 2.46 cubic feet per second4. Source of water supply Jamez River5. Location of point of diversion between a point in the NW 1/4 Sec. 25, T 113N, R 62W
and a point in the SE 1/4 Sec. 30,
T 113N, R 61W ~~xxx~~ ~~xxx~~ in Beadle County.6. Annual period or periods during which water is to be used April to October, inclusive7. To be used for: (See Permit # 343-3A - Lands transferred 99 ac. SEC. 12)I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? combination gravity
and sprinkler(a) Number of acres to be irrigated 231 acres.(b) Legal subdivisions to be irrigated Parts of the SE 1/4, Sec. 30, T 113N, R 61W
and SE 1/4, Sec. 25, T 113N, R 62W

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

Domestic and Stock watering

(c) Statement as to domestic use (giving location, etc.)

SW 1/4 Sec 30 T 113N R61W

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be rated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$

(b) Pumping plant \$ 5,800

(c) Fluming, \$ (d) Canal-earth, \$

Rock, \$

(e) Other structures \$

Total, \$

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

two pumping plants and sprinkler systems

II. Dimensions of works:

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c) * Head gate: Width feet; height feet; Material

(d) Canal: Total length miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work until July 1, 1958
 11. Time required for complete application of water to the proposed beneficial use until July 1, 1958
 12. Choice of newspaper for publication of notice of intention to appropriate

STATE OF SOUTH DAKOTA

County of Wagner ss.

I, Mike J. Hadden, Sec'y, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Mike J. Hadden, Sec'y

Subscribed and sworn to before me this 5th day of November 1958

J. Engstrom
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

Vested Right Claimed

Flows in this stream fluctuate a great deal during various seasons of the year. Because of this condition, use of water under this permit may require restriction at times in order to assure that water is available in the stream at all times to satisfy domestic use and prior water right supplies. In granting this permit, the Commission believes that the degree of restriction will not reduce seriously the benefits to the applicant.

STATE OF SOUTH DAKOTA

County of Sioux

Pierre, South Dakota,

November 23

This is to certify that the foregoing application was received by the Commission at

11:00

9 a.m. upon the

21

day of

November

19

56

State Water Resources Commission

By:

W. H. Rimes

Chief Engineer, Executive Officer

Number of permit

345-3

Date of first receipt of application

November 21

19

56

Date of return to applicant for correction, amendments or changes required as follows:

19

Date of receipt of corrected application

19

Date from which applicant may claim right

1947

19

Approved

November 23

19

56

Recorded in Book

3

Page

205

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

Completed

19

2nd. The whole of said work was ~~is to be completed on or before~~

in

1947

19

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

1947

19

4th. The water appropriated shall be used for the purpose of

irrigation

stock watering and domestic

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.38 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 1947 19; said water to be used during the following described annual period:

April 1 to October 1 inclusive

Witness my hand this

23

day of

November

19

56

State Water Resources Commission

By:

W. H. Rimes

Chief Engineer, Executive Officer

Certificate of Construction issued

November 23

19

56

Water License issued

November 23

19

56

RAIN BIRD

FULL CIRCLE SPRINKLERS

Discharges and Diameters for Model 40

Nozzles $1\frac{1}{4}$ X $5/32$ "

Nozzle Pressure
Pounds per Sq.In.

Discharge G.P.M.

25	12.1
30	13.2
35	14.4
40	15.3
45	16.2
50	17.0
55	17.8
60	18.8

STATE OF SOUTH DAKOTA

WATER LICENSE No. 343-3

WHEREAS, On the 21st day of November A. D. 1956
the Huron Colony, Huron Hutteric tual Society, Inc.

of Huron County of Beadle and State of
South Dakota duly made application (No. 343-3) Vested Right
 to us for a permit to use 2.46
 cubic feet per second of the waters of the James River
 County of Beadle, State of South Dakota, for irrigation
 purposes; and

Vested Right WHEREAS, On the 23rd day of November A. D. 1956
 Permit No. 343-3 was issued to said applicant (1.38 c.f.s.) recognizing
 for the diversion of said water, and providing for the
 completion of the works of diversion therein described XXXXXXXXXX in 1947 XXXXXX
XXXXXXXXXX and XXXXXXXX application to beneficial use of said
 water XXXXXXXXXX in 1947 XXXXXX
 and,

WHEREAS, On the 21st day of November A. D. 1956
 the holders of said permit duly made proof of the completion of adequate works for the diversion of 1.38
 cubic feet per second of said waters, as evidenced by our Certificate No. 343-3
 dated November 23, 1956, confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.38 cubic feet per second of water, with date of
 priority of 1947 XXXX XXXX

WHEREAS On the 21st day of November A. D. 1956
 proof was duly made of the application to beneficial use of 1.38 cubic feet per second of said water;
on 231 acres of land in part of the SE $\frac{1}{4}$, Sec. 25, T 113N, R 62W and
part of the SE $\frac{1}{4}$, Sec. 30, T 113N, R 61W.

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 the Huron Colony, Huron Hutterian Mutual Society, Inc.

of Huron, South Dakota the holder ~~is~~ and owner of said permit No. 343-3

a water right, dating from 1947 to the use of 1.38

cubic feet per second of the waters of the James River

In the County of Beadle and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinafter mentioned, to be diverted ~~at~~ between a point in the NW 1/4, SE 1/4,

Sec. 25, T 113N, R 62W and a point in the SE 1/4, SE 1/4, Sec. 30, T 113N, R 61W

and conducted to and upon part of the SE 1/4, Sec. 25, T 113N, R 62W and part of the

SE 1/4, Sec. 30, T 113N, R 61W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 23rd day of November A. D. Nineteen
Hundred and Fifty-six

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 343-3Water Division No. 3 James River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Huron Colony, Huron Exterior Mutual Society, Inc.of South Dakota, County of Beadle, and State ofSouth Dakota, the holder of Vested Right of Permit No. 343-3, issued upon ApplicationNo. 343-3, bearing date of priority of 1947, authorizing the diversion of1.38 cu. ft. per second of the waters of the James RiverCounty of Beadle, State of South Dakota, between a point in
the NW 1/4 SE 1/4, Sec. 25, T 113N, R 62W, and a point in the SE 1/4 SE 1/4, Sec. 30,
T 113N, R 61W, for irrigationpurposes, have fully 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 1.38 cu. ft.per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,
to-wit: parts of the SE 1/4, Sec. 30, T 113N, R 61W and the SE 1/4, Sec. 25,T 113N, R 62W - - - 231 acres.79
132 acres

*99 acres transferred
from Section 25 to Section 24
See Permit No. 343-3A
combination of CFS shall
not exceed 1.38 cfs*

Witness my hand this 23rd day of November A. D. 1956

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

..... Office
..... Operator
..... Phone
..... Fax
..... City and State

Division
SF 5 E 1/4

SE 1/4
Sec. 30

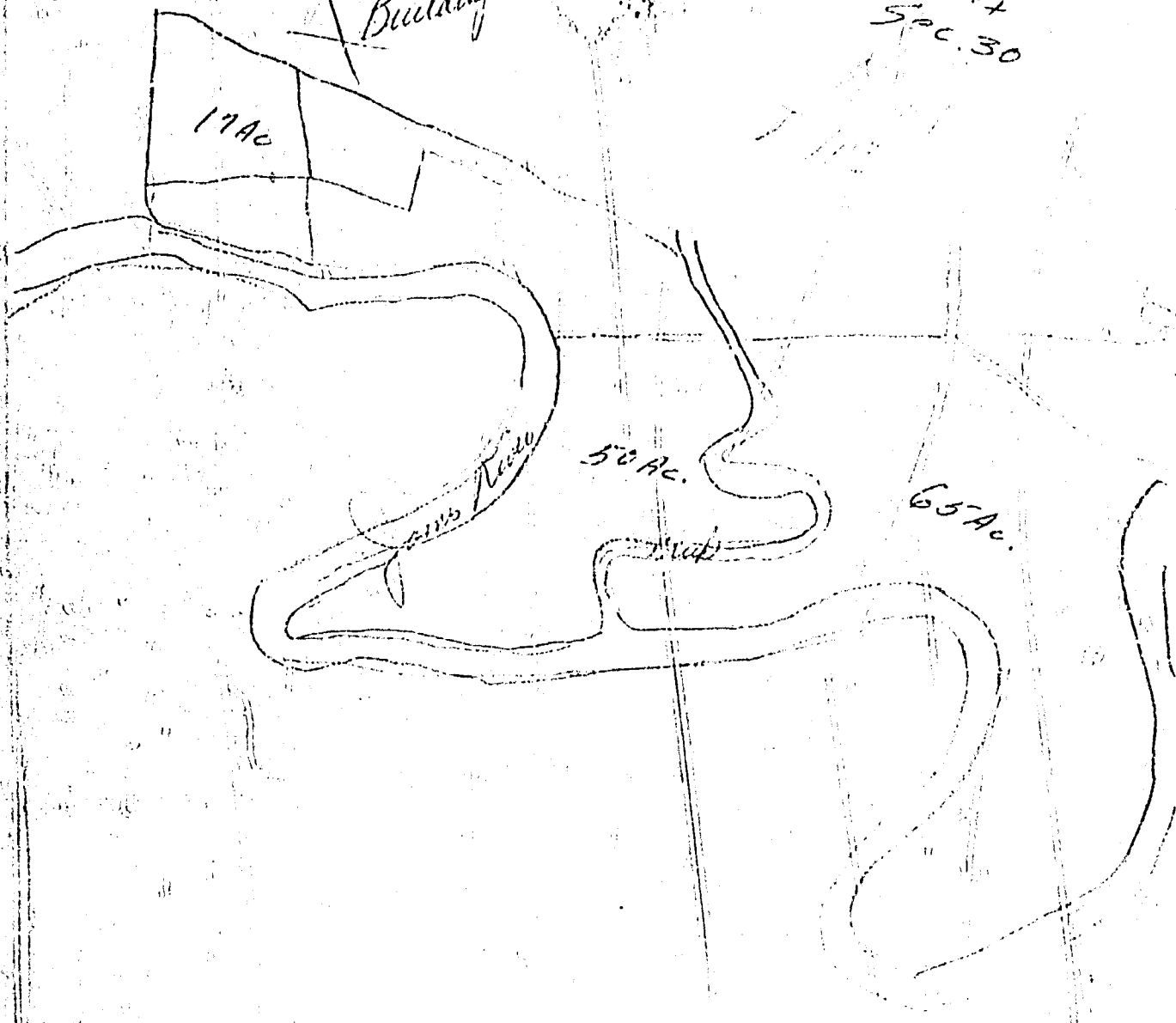
Buildings

17Ac

Grass Road

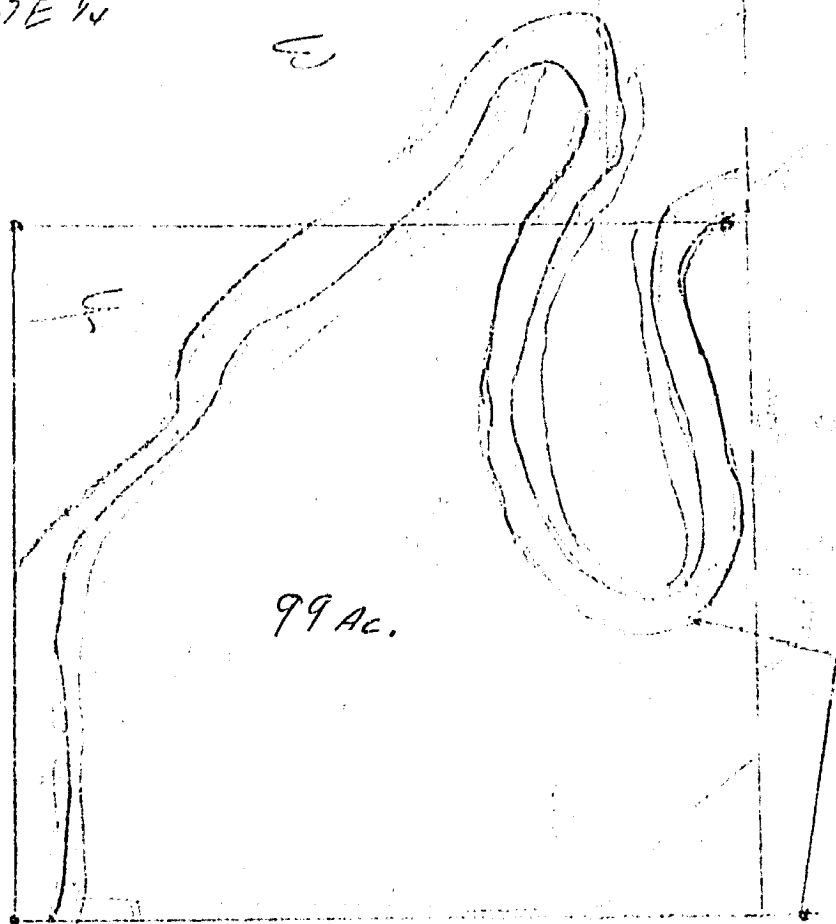
50 Ac.

65 Ac.



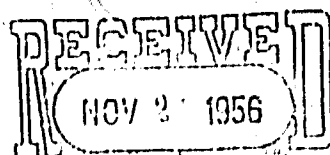
Division
NW 1/4 SE 1/4

SE 1/4
SPC 75-
R 62
T 113.



99 Ac.

May 37

Location No. 343-3Water Division No. 3 - James River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Mike J. Waldner, Huron Colony, Huron, South Dakota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Secretary-Treasurer, Huron Hutterian Mutual Society, Inc.,
Huron, South Dakota

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. -----

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. James River between a point in the NW 1/4 SE 1/4, Sec. 25, T 113N,
R 62W, and a point in the SE 1/4 SE 1/4, Sec. 30, T 113N, R 61W

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Pacific Pump A3D2XAHU, 5" inlet and 5" outlet, 27 Model 40 -
1/4 x 5/32 Rainbird nozzles, 1710 ft. of 5" and 180 ft. 3" pipe.
Powered by a 50 Hp Waukasha Engine. Want to purchase one more
outfit like this one in the next two or three years.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigated 132 acres in the SE 1/4, Sec. 30, T 113N, R 61W and
99 acres in the SE 1/4, Sec. 25, T 113N, R 62W. Mostly in truck gardening
and some grain and alfalfa.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Domestic and Stock Watering SW 1/4 Sec 30 Twp 113N Rge 61W

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 450 gpm

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Started irrigating in 1947 on the lands stated under Ques. 6
(231 acres). No pump at a rate of 450 gpm normally and approxi-
mately 540-585 gpm. maximum.

(Sign) Wm. L. Hatcher Sr. & True

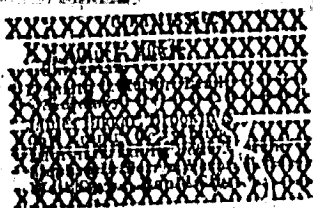
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Deer Creek, County of Deuel, State of South Dakota, on this 21st day of November, A. D. 1946.

Witnesses.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

E. J. Hatcher
Deuel County, S.D.

Location No. _____	PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	PETITION OF HOLDER	Amount of Water _____ c. f. s.	Source _____	Court _____	Purpose _____	Place of Use _____	Date of recording _____	Received and filed _____
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SOUTH DAKOTA
State Water Resources Commission

J. W. GRIMES, CHIEF ENGINEER AND EXECUTIVE OFFICER
 STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

July 8, 1959

Huron Colony
 Riverside Colony
 Huron, South Dakota

Gentlemen:

The South Dakota water laws (Chapter 430, Session Laws of 1955, as amended) provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses,----".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the North Dakota-South Dakota state line and the point where the East line of Range 56 crosses said James River (approximately 10 miles North of Yankton, South Dakota) shall cease effective July 11, 1959 and until further notice.

This order is necessary in order to maintain domestic use, including stockwater, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your water right # 343-3 in accordance with this order. You will be notified when water supplies in the James River are sufficient to again permit irrigation water withdrawals.

Sincerely,

J. W. GRIMES
 Chief Engineer

cc: Each Water Resources Commissioner

December 22, 1965

Huron Colony
R. R. 1
Huron, South Dakota 57350

Dear Sir:

Last summer near the end of July, the flow of the James River above Huron became so low that the Water Resources Commission began preparations to stop, and or, reduce irrigation withdrawals from this section of the river, as provided for in the water right permits.

At this time, the first of a number of aerial inspections were made along this river section. On such inspections, it was readily apparent:

1. That land was being irrigated from the river,
2. If a water right had been issued for such irrigation,
3. If the irrigation to some degree, violated the provisions of the water right authorizing such specific irrigation.

During very early August of 1965, abundant rainfall occurred in the James River Drainage Basin in northern Brown County and in southern North Dakota. While there was considerable lag in time before this water became available for irrigation between Redfield and Huron, daily stream flow records upstream from Redfield showed there would be sufficient water for authorized irrigation downstream from Redfield.

This information is being sent to you for the following reasons:

1. So that each irrigator will know, that as water flows of the James River become seasonally reduced, the Water Resources Commission will be well aware of the flow conditions of the river and of the individual irrigation from the river and will be issuing stop orders or reducing orders to the degree necessary and as provided for in the water right permit,

COPY

2.

2. And so that each water right holder will check the provisions of his water right and if such provisions indicate that water will often not be available to him in late season, to plan his crops so as to afford least risk for his investment.

Sincerely,

J. W. Grimes
Chief Engineer and
Executive Officer

COPY

COMMISSION

John M. Garhart, Spearfish
Lester Brue, Parker
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton F. Fischer, Mankato
Richard Lommen, Harrisburg
Clarence D. Mortenson, Hayes
Dick Fisher, Chesbrough

South Dakota

WATER RESOURCES COMMISSION

State Office Building 12

PIERRE, SOUTH DAKOTA 57501

343-3 & 1263-3

J.W. GRIMES

Chief Engineer
and
Executive Officer

PHONE
224-3584
Area Code 605

August 7, 1970

Huron Colony
Route #1
Huron, South Dakota

Dear Sirs:

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses, ---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the north boundary of Spink County and the south boundary of Hanson County shall cease effective 6:00 P.M., August 10, 1970, and until January 1, 1971, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 343-3 & 1263-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1970. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. Grimes
J.W. GRIMES

JWG/DD/LW

P.S. The Water Permits of almost every water right holder receiving this letter contains the August 10th irrigation stoppage qualification or a low flow qualification which prohibits the diversion of water from the existing low flows of the James River, even if this special order were not issued.

COMMISSION

South Dakota

J.W. GRIMES

Carl Collins, College Ave.
W. Neil Evans, Watertown
Malcolm E. Fischer, Watertown
Glen Garrett, Port A. Pierre
Stanley Jensen, Lakesford
Richard L. Jensen, Huron
Gerald D. Mortenson, Mayes
Eugene J. Parke, Gettes

Water Resources Commission

Chief Engineer
and
Executive Officer

State Office Building #2

PIERRE, SOUTH DAKOTA 57501

PHONE 605/224-3504

Huron Colony
Route 1
Huron, S.D. 57350

6-22-73

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses,---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the James River Bridge east of Ashton, South Dakota and the 3rd Street Dam in Huron, South Dakota shall cease effective 6:00 P.M., July 1, 1973, and until January 1, 1974, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 343-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1973. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. GRIMES

JWG/DD/bw

Water Rights Division - DWR
Conversation or File Documentation

File No. 343-3

NAME OF PERSON OR FILE: Huron Colony

ADDRESS: Rt 2, Box 185, Huron SD 57350 COUNTY Beadle

DATE: inspected 4/25/85 TELEPHONE _____

RE: _____

COMMENTS:

License No. 343-3 was inspected on April 25, 1985, for the purpose of updating records regarding James River diversions. The total acreage being irrigated has been reduced by 23 acres and information regarding the irrigation equipment has been recorded. The total acreage currently being irrigated is 109 acres with a diversion rate of .88 cfs.

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

4/82

NAME: Ron Duvall 12/18/85

LICENSE FOR PERMIT NUMBER 343-3

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____

b) model _____ b) model no. _____

c) size _____ c) horsepower rating _____

d) capacity _____ GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines: _____

a) size of lines 8 in.

b) type Aluminum

c) length 5280 ft

4. Dam information: _____

a) height to crest _____

b) height to spillway 11

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline: Lindsey

1) length 1320 feet

2) make, model & number of sprinklers:

Rainbird

3) spacing of sprinklers 40 ft

4) ^{capacity} nozzle size ≈ 400 gpm

5. System Type: c) center pivot

- 1) make Deutz
- 2) number of towers 11
- 3) distance between towers 1000
- 4) overall length 11000
- 5) End gun (Y/N) N
- 6) high or low pressure low
- 7) make & size of nozzles 1/2" 1000
- 8) PSI reading while system is running 100
- 9) GPM 1000

g) Gun

- 1) make Deutz
- 2) serial number 6542093
- 3) nozzle size 1/2"
- 4) capacity (GPM) 1000
- 5) PSI 100
- 6) hose size 1/2"
- 7) hose length 1000

d) Gate Pipe

- 1) length 1000
- 2) diameter 1/2"
- 3) spacing of gates 1000

e) Siphons

- 1) number 1
- 2) size 1/2"

f) Portable boom

- 1) make Deutz
- 2) serial number 6542093
- 3) nozzle size 1/2"
- 4) capacity (GPM) 1000
- 5) PSI 100

h) Hydromatic

- 1) make Deutz
- 2) model 1000
- 3) serial number 6542093
- 4) length 1000
- 5) nozzle size 1/2"
- 6) spacing 1000
- 7) PSI 100
- 8) capacity (GPM) 1000

YES

NO

Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. ☒
2. Special Qualifications to permit being abided by. ☒
3. All Structures, wells and lands on map. ☒

REMARKS:

motor: Deutz, 73 hp.

N.R. 6542093

M.N. FSL912

pump: Berkeley, imp. 13 1/2 in.

S.N. 7679071

M.N. B3JRBW CW

A second Deutz motor & pump was not available.

Permit No. 343-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by the Huron Colony
of Rt 2, Box 185, Huron SD 57350 holder ofPermit No. 343-3, bearing the priority of _____ 19 47 authorizingthe diversion of 1.38 cu. ft. per second of the waters of the James Riverfor irrigation purposes, in Beadle County.

I have to report on the conditions of the same as follows:

motor: Deutz, 73hp

pump: Berkeley, imp. 13

NR. 6542093

S.N. 7679071

M.W. FSL 912

M.W. B3JRBW CW

A. Works used to divert the water:

A second Deutz motor & pump was not available

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

pipeline: size - 8 in

type - Aluminum

length - 1 mile

C. Works used to apply water to beneficial use:

towlane: Lindsey

sprinkler spacing - 40 ft

length - 1320 ft

capacity - 400 gpm

sprinklers - Rainbird

The system is in the following condition goodThe point of diversion is located James River: any point within the SE 1/4, sec 25-T113N-R62W
within the S 1/2 SE 1/4, sec 30-T113N-R61WThe works are capable of diverting and conveying to the place of use .88cu. 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:

	Acres		Acres
NW 1/4 SE 1/4 sec 25-T113N-R62W	13.0	SW 1/4 SE 1/4 sec 30-T113N-R61W	6.8
NE 1/4 SE 1/4	36.7	SE 1/4 SE 1/4	5.5
SW 1/4 SE 1/4	13.7		
SE 1/4 SE 1/4	33.3		

comprising a total of 109.0 acres of land and the license should be issued for .88 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date April 25, 1985

R. D. Duvall
(signature)

State of South Dakota

REISSUANCE OF

Water License No. 343-3

(1) Huron Colony

of Rt 2, Box 185, Huron SD was issued Vested Right Water License No. 343-3

made Application No. November 23, 1936 for a water ^{right} ~~permit~~ to appropriate
1.38 cubic feet per second of water from the James River

Beadle County, South Dakota for irrigation purposes.

Vested Right Water License

Permit No. 343-3, with a priority date of 1947

was approved and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed ~~on or before~~ and for the application to beneficial use of said
water ~~on or before~~ completed.

Vested Water Right License No. 343-3 dated November 23, 1936 recognized
diversion of 1.38 cfs from the James River to irrigate 231 acres. Based
on an April 25, 1985 inspection of the water use system, this license
is being reissued to reflect what is actually being irrigated.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.88 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is any point on the James River within
the SE 1/4 Section 25, T113N, R62W; and within the S 1/2 SE 1/4 Section 30, T113N,
R61W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, To irrigate the following land

Section 25, T113N, R62W NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 acres (DB)

NE $\frac{1}{4}$ EF $\frac{1}{4}$ 36.7 " (DA)

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.7 " (DC)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 33.3 " (DD)

Section 30, T113N, R61W SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.8 " (DC)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.5 " (DD)

TOTAL 109.0 acres

(4) Pursuant to §46-5-30.1 Huron Colony

of RR 2, Box 185, Huron SD

Vested Right
the holder(s) and/or owner(s) of Water Permit No. 343-3 is issued a license to appropriate water, the right to use
0.88 cubic feet per second of water from the James River with a priority date
of 1947 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of irrigation

Vested Right
This license is subject to any limitations or qualifications listed in Water Permit No. 343-3 and subject
to South Dakota State Law.

John H. Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

NOV 26 1986

South Dakota
Department of
Water & Natural Resources

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

Water Rights Division
605 773-3352

NOV 26 1986

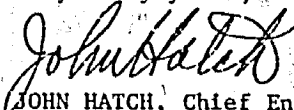
Huron Colony
Rt 2, Box 185
Huron SD 57350

Dear Sir,

Enclosed is your Water Right License No. 343-3. The water license has been reissued to the extent of what is actually being used. The relicense is based on a April 25, 1985 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure

South Dakota
Department of
Water & Natural Resources

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

March 23, 1987

HURON COLONY, Jake Wollman
RR #2 BOX 185
HURON, SD 57350

NOTICE

Re: Violation of Water Permit(s). 4400A-3 and 1986 Irrigation Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No(s). 343-3, 343-3A, 3268-3, and 2390-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

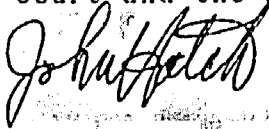
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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 hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4400A-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 343-3, 343-3A, 3268-3, and 2390-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

South Dakota
Department of
Water & Natural Resources

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

April 15, 1987

343-3
343-3A
2390-3
3268-3
4400A-3

Jake J Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

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. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-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
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

343-3

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

Re: Violation of Water Permit No(s). 4400A-3 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-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 hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No(s) 343-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

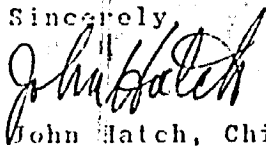
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 4400A-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 343-3 also held by JAKE WOLLMAN- HURON COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

Sincerely,



John Hatch, Chief Engineer
Water Rights Division

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

South Dakota
Department of
Water & Natural Resources

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

February 10, 1988

343-3
4400A-3

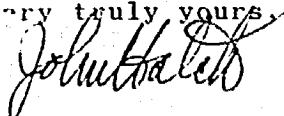
Jake Wollman
Huron Colony
RR 2, Box 185
Huron SD 57350

Dear Mr. Wollman:

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. 343-3, 4400A-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

April 12, 1988

343-2
343-3A
2390-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Wollman:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND-SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

James River Flow* Record

Date	LaMoure	Ludden	Columbia**	Ashton	Huron	Forestburg	Scotland
04/06/88	81.2	(state	15.0	37.7	48.0	105	285
04/11/88	134	line)	12.4	34.3	39.4	60.9	107
04/13/88	150		8.99	21.4	34.3	55.7	122
04/14/88	159	190	21.3	34.3	32.0	50.8	115
04/15/88	142		57.0	45.6	32.0	48.9	112

* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

** Sand Lake Refuge has increased releases due to inflows

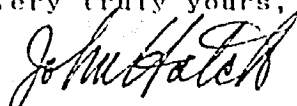
The flow in North Dakota at LaMoure, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 15 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SD State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,



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

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

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

May 18, 1988

NOTICE OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

343-3
343-3A
2390-3

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

John Hatch
By James W. Hutton

SUBJECT: Shut Off Order To James River Water Right Holders Located Above
Huron, Effective 12:00 Noon, May 25, 1988.

I am certain that you are aware that James River flows are not enough to supply all water rights. Therefore, to protect the City of Huron's senior water rights and to provide water for domestic use (livestock watering), effective 12:00 noon on May 25, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

The following is the latest flow information that we have on the river: (these are provisional records - flow measured in cubic feet per second)

Date	LaMoore	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
05/09/88	5.5	156	6.97	51.4	62.0	57.7	72.0
05/10/88	4.2	48.0	16.3	43.7	65.1	65.3	87.4
05/11/88		.05	9.23	31.6	45.0	68.8	82.0
05/12/88	4.6	5.79	6.30	30.3	51.3	68.8	79.4
05/13/88	0.30	0.45	6.46	30.0	48.0	65.3	76.9
05/16/88	0.50	3.09	3.15	21.1	45.0	49.9	62.8
05/17/88	0.0	0.0	4.84	16.0	42.1	43.7	58.5
05/18/88	0.0	0.0	3.51	12.8	6.8*	39.6	50.7

* South wind affecting the reading

As the information listed above shows, there is almost no James River flow in North Dakota and the flows in South Dakota are steadily decreasing. Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

cc: City of Huron



**Department of
Water & Natural Resources**

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

May 24, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

343-3
343-3A
2390-3

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

John Hatch

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 1, 1988
due to Increased Flows in the James River.

The rains this past weekend over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 1, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.



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

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

May 31, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

343-3
343-3A
2390-3

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

John Hatch

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 15, 1988
due to Increased Flows in the James River.

The rains over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 15, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.



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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3121

February 8, 1989

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

RE: Violation of Water Permit No(s). 4400A-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No. 343-3, 343-3A, 2390-3, 3268-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 4400A-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 343-3, 343-3A, 2390-3, 3268-3 also held by JAKE WOLLMAN- HURON COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

John Hatch

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



South Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 6, 1989

343-3
343-3A
2390-3
3268-3
4400A-3

Jake Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

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

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

July 17, 1989

NOTICE OF SHUTOFF ORDER

343-3
343-3A
2390-3

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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

John Hatch

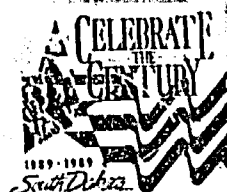
SUBJECT: Shut Off Order to James River Water Right Holders
Located above Huron Effective 12:00 Noon July 20, 1989.

The flows in the James River have dropped to less than 20 cfs at Huron. Therefore to protect the City of Huron's prior rights and domestic uses (livestock watering) on the James River, effective 12:00 noon on July 20, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from the James River.

If you have any questions, please contact James Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



343-3

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

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

August 7, 1989

Jacob Wollman
Huron Colony
RR #2, Box 185
Huron SD 57350

Dear Mr. Wollman:

I am writing to follow up on the telephone conversation between Ken Buhler and yourself on August 2, 1989. An aerial inspection was conducted of a section of the James River from Huron to Frankfort by Water Rights Division engineers, on August 2, 1989. The inspection identified a system located in the SE 1/4 of Sec. 30, T113N-R61W in operation after the shut off orders had been issued for that portion of the river. The shut off orders to cease all withdrawals of water from the James River became effective 12:00 Noon on July 20, 1989. Domestic use of water from the James River is not affected by this order. Domestic use is defined by SDCL 46-1-6(4) as:

"use of water not exceeding eighteen gallons per minute on an average daily basis, ... by an individual, or by a family unit or household, for drinking, washing, sanitary and culinary purposes and other ordinary household purposes; irrigation of a noncommercial family garden, ... not greater in area than one acre..."

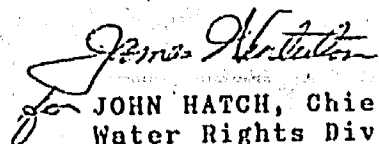
In addition, ARSD 74:02:01:01(1) defines "Reasonable domestic use", as:

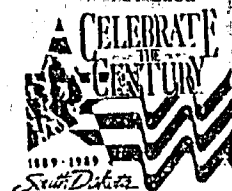
"the use of 18 or less gallons of water per minute on an average daily basis as necessary for domestic purposes, with a maximum pumping capacity of 25 gallons per minute"

The irrigation from the James River for non-domestic use is in violation of Chief Engineer's order and the qualifications of Water Right No. 343-3. Any future violations will require an appearance before the Water Management Board for consideration of a one year suspension of the right to irrigate.

If you have any questions, please contact Jim Winterton (605 773-3352).

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division



343-3

**Department of
Water & Natural Resources**

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

February 9, 1990

JAKE WOLIMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

RE: Violation of Water Permit No(s). 4400A-3 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No. 343-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

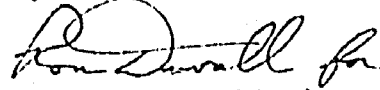
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4400A-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 343-3 also held by JAKE WOLIMAN- HURON COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


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



Department of Water & Natural Resources

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

February 23, 1990

343-3
343-3A
2390-3
3268-3
4400A-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3 and 4400-3A. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division

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

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

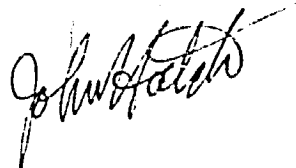
June 29, 1990

RESCISSION OF SHUTOFF ORDER

343-3
343-3A
2390-3

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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



SUBJECT: Rescission of April 6, 1990 Shutoff Order to James River Water Right Holders

The flows in the James River have improved. Therefore, I am rescinding the April 6, 1990 shutoff order, effective immediately, for the section of the James River downstream from the James River Diversion Dam to the Huron Third Street Dam.

The following is the latest flow (cfs) information on the river:

<u>Date</u>	<u>Ludden</u>	<u>Columbia</u>	<u>Ashton</u>	<u>Huron</u>	<u>Forestburg</u>	<u>Scotland</u>
6/27/90	45.2	0.6	12.3	20.5	132.8	249.1
6/28/90	32.4	1.7	25.8	68.4	120.0	229.4
6/29/90	10.9	1.0	23.1	51.3	117.1	206.0

If the flows of the river should decrease to less than 20 cfs at the Third Street Dam, shutoff will again be necessary.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

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

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

August 8, 1990

NOTICE

343-3, 343-3A,
2390-3

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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



SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. On some of the older permits this qualification though not listed is still valid and must be followed. Since there are still flows in portions of the James River, continuation of diversions beyond the shutoff date will be considered on a case by case basis. To do this you need to contact Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

<u>DATE</u>	<u>LUDDEN</u>	<u>COLUMBIA</u>	<u>ASHTON</u>	<u>HURON</u>	<u>FORESTBURG</u>	<u>SCOTLAND</u>
8/06/90	0.0	0.0	14.3	128.0	188.0	99.0
8/01/90	0.0	0.0	10.6	108.1	166.5	119.5
8/02/90	0.0	0.0	7.6	99.0	146.2	138.9

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent

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

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

August 13, 1990

2390-3
343-3
343-3A

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

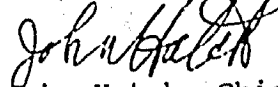
Dear Mr. Wollman:

In response to your request by telephone, you are authorized to continue pumping from the James River under your water right.

The flows in the James River will continue to be monitored. If the flows become so low that use by senior water right holders or domestic users becomes impaired a shutoff order will again be issued.

If there are any questions, please contact this office.

Very truly yours,



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

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

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

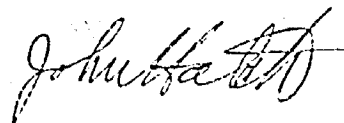
342-1A
343-1
2390-3

August 31, 1990

N O T I C E

TO: Jake Wollman
Huron Colony
RR #2 Box 185
Huron SD 57350

FROM: John Hatch, Chief Engineer
Water Rights Division



SUBJECT: Shutoff Order for Water Rights in the James River Reach
Above Huron to the James River Diversion Dam

Due to the present low flow conditions in the James River at Huron, withdrawals of water from the James River above Huron to the James River Diversion dam must cease. This order is effective September 4, 1990.

If you have any question, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre SD 57501-3181. Phone (605) 773-3352.

CERTIFICATION

I hereby certify that on August 31, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Shutoff Order for Water Rights in the James River Reach Above Huron to the James River Diversion Dam for the following water rights/permits.

1276-3
4855-3

Mike Waldner, Riverside Colony, RR #1 Huron
SD 57350

343-3
343-3A
2390-3

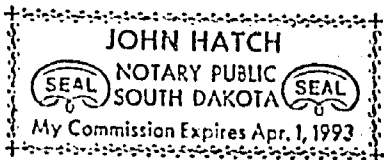
Jake Wollman, Huron Colony, RR #2 Box 185, Huron
SD 57350

Marie Arthur
Marie Arthur
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 5th day of September, 1990.

John H. [Signature]
Notary Public





Department of Water & Natural Resources

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

April 2, 1991

343-3
343-3A
2390-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

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

April 2, 1991

343-3
343-3A
2390-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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

South Dakota

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

GREAT FACES. GREAT PLACES.

February 1, 1991

ELIZABETH ANDERSON
RR 2 BOX 192
YANKTON SD 57078

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 393-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

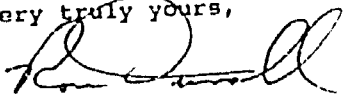
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 393-3 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return postage fee will provide you the name of the person delivered to and the date of delivery for additional use the following services are available. Consult postmaster for fees and check boxes for additional services requested.

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

3. Article Addressed to:

ELIZABETH ANDERSON
RR 2 BOX 192
YANKTON SD 57078

4. Article Number
P 694 057 352

Type of Service:

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

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
☒ *Elizabeth Anderson*

6. Signature - Agent
☒ *Anderson*

7. Date of Delivery
2/2/91

8. Addressee's Address (ONLY if requested and fee paid)
RR 2 Box 192
Yankton

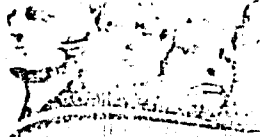
PS Form 3811, Apr. 1989

U.S. G.P.O. 1989-253-815

DOMESTIC RETURN RECEIPT

343-3

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON SD 57350

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 343-3, 343-3A, 2390-3, 3268-3, 4400A-3 and 1990 Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 343-3, 343-3A, 2390-3, 3268-3, 4400A-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 4400A-3 qualification:

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

The hearing will also be to determine if Permit No(s) 343-3, 343-3A, 2390-3, 3268-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Suspend Permit No(s) 4400A-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 343-3, 343-3A, 2390-3, 3268-3 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 February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

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

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*

2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

JAKE WOLLMAN- HURON COLONY
 RR #2 BOX 185
 HURON SD 57350

4. Article Number: **P 1694 057 453**

Type of Service:

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

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
 X *Sam Wollman*

6. Signature - Agent
 X *PL*

7. Date of Delivery
7-2-91

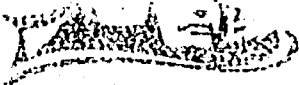
8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989

U.S.G.P.O. 1989-238-812

DOMESTIC RETURN RECEIPT

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 13, 1991

343-3

343-3

343-3A

2390-3

3268-3

4400A-3

Jake Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3191

August 5, 1991

NOTICE

343-3
343-3A
2390-3

TO: Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

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

Delvin D. Brosz

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

DATE	LUDDEN	COLUMBIA	ASHTON	HURON	FORESTBURG	SCOTLAND
7/31/91	6.7	63	130	139	142	148
8/02/91	17	58	125	134	139	154
8/05/91	0.3	36	101	128	140	166

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone (605) 773-3352

cc: City of Huron, Water Superintendent



343-3

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

August 13, 1991

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

In response to your telephone call requesting an extension to pump from the James River, you are hereby authorized to continue irrigation under Water Right Nos. 343-3, 343-3A and 2390-3 from the James River.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights. We will continue to monitor the river and will be in contact with you if low flows become a problem.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

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



343-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 5, 1991

Jake Wollman
Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Mr. Wollman:

The flow in the James River is approaching 20 cfs at Huron and continues to drop. Therefore, to protect Huron's senior water right and downstream domestic use (including livestock watering), diversions covered under Water Right Nos. 343-3, 343A-3 and 2390-3 shall be discontinued, effective immediately, until January 1, 1992.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

for Helvin W. Broz
JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352



April 14, 1992

NOTICE OF SHUTOFF ORDER

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

343-3
343-3A
2390-3

TO: SAM J WALDNER
HURON HTTRN BRTH
RR 2 BOX 185
HURON, SD 57350

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

SUBJECT: Shut Off Order to All James River Water Right Holders
Above Huron, Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at the gaging stations above Huron. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) below Huron, effective immediately, no pumping of water from the James River above Huron is authorized until January 1, 1993 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for 1992 from the James River above Huron diversion dam. If conditions improve, notices will be issued, based on senior priority dates, to allow pumping by water users.

Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is receiving below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludien	Columbia	Ashton	Huron	Forestburg	Scotland
4/7/92	83	.4	9	32	40	57
4/10/92	54	.5	7	20.5	---	57
4/13/92	6	.6	4	20.5	---	55

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

343-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 22, 1992

RESCISSION OF SHUTOFF ORDER

343-3
343-3A
2390-3

TO: HURON HTRN BRTH
% JAKE WOLLMAN
RR 2 BOX 185
HURON, SD 57350

FROM: *for* John Hatch, Chief Engineer *Delvin H. Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of April 14, 1992 Shutoff Order
to James River Water Right Holders above the
Huron Third Street Dam to Ashton.

The present flow conditions on the James River are sufficient to allow for diversions. The Shutoff Order of April 14, 1992 is rescinded, effective immediately, for all James River Water Right Holders between the Huron Third Street Dam and the Ashton gaging station. We will continue to monitor the flows of the James River through the summer. The present increase in flow may only be temporary. If the present flow conditions continue, pumping will be allowed until the mandatory August 10 shutoff date. Pumping after the August 10 shutoff date will be handled on request and requires written approval from the Chief Engineer.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.

cc: City of Huron, Water Superintendent

South Dakota

343-3

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 20, 1992

Huron Colony
c/o Jake Wollman
Rt 2, Box 185
Huron SD 57350

Dear Mr. Wollman:

The original Notice of Intent to Validate Vested Water Right Claims was published with an error. The location of the diversion points and the lands irrigated were incorrect. Therefore, the notice needs to be readvertised to correct the errors. The Readvertisement of the Notice of Intent to Validate Vested Water Right Claims has been sent to the Publisher of the Huron Daily Plainsmen printed at Huron SD. For your information, a copy of the notice is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

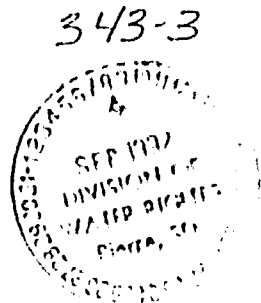
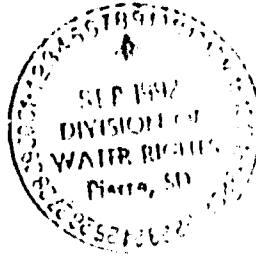
Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADIE



I, Leslie Fraser,
being duly sworn on oath, say that THE DAILY PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date; that said newspaper is printed in whole or in part, in an office maintained at said place of publication, that I

am bookkeeper of said newspaper and I know the facts herein stated. The annexed notice headed

Readvertisement Of Notice Of Intent To Validate
Vested Water Right Claims

was published for two successive weeks, once each week, the same day each week, in said newspaper, and not in any supplement

of the said newspaper, the first publication on the 26th day of

August, 1992 and the last publication on the 2nd day of

September, 1992. That the full amount of the fee charged for publishing the same, to wit:

one hundred thirty-three & 50/100 dollars inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Leslie Fraser

Subscribed and sworn to before me this 2nd day of September,

19 92

Mar. J. B. Welch
Notary Public, South Dakota

My term expires 6/1/2000

FP. 9 26 92 L.P. 9 2 92
READVERTISEMENT OF
NOTICE OF INTENT TO
VALIDATE VESTED WATER
RIGHT CLAIMS

Notice is given that the following vested water right claims in Beadle County are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-22. Readvertisement of the original notice of intent to validate these claims, as published on June 23 and 30, 1988 in the Daily Plainsman, is necessary to correct errors in the previously published notice.

Vested Water Right No. 131-3, Harry Haeder, Box 58, Yale, SD 57386, appropriates 0.76 cubic feet of water per second (cfs) from one well located in the SW 1/4 SW 1/4 Section 31 to irrigate 53 acres located in the S 1/2 SE 1/4, S 1/2 SW 1/4, NW 1/4 SW 1/4 Section 31; all in T112N-R59W. The priority date is 7/9/1954.

Vested Water Right No. 325-3, Roger Chaplin, 1820 Fulton, Sturgis, SD 57785, appropriates 0.63 cfs from the James River located in the NE 1/4 NW 1/4 Section 14 to irrigate 44.6 acres located in the S 1/2 SW 1/4 Section 11, and the NE 1/4 NW 1/4 Section 14; all in T113N-R62W. The priority date is 10/1/1954.

Vested Water Right No. 343-3, Huron Colony, c/o Jake Volkman, Rt. 2, Box 185, Huron, SD 57350, appropriates 0.88 cfs from the James River located in the S 1/2 SE 1/4 Section 30-T113N-R61W and the SE 1/4 Section 25-T113N-R62W to irrigate 109 acres located in the S 1/2 SE 1/4 Section 30-T113N-R61W and the SE 1/4 Section 25-T113N-R62W. The priority date is 1/1/1947.

Vested Water Right No. 4866-3, Riverside Colony, c/o Mike Wakner, RR 1, Huron, SD 57350 appropriates 1.56 cfs from the James River and a dry draw dam (31 acre-foot storage) located in the SE 1/4 Section 22 to irrigate 132 acres located in the SW 1/4 Section 22; all in T112N-R61W. Priority date is 1/1/1949.

Any person who wishes to oppose validation of any of the readvertisement vested right claims shall file a petition of intent to oppose the validation by September 18, 1992 with the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 (605-773-3352) and with the vested water right holder at the listed address. The petition may be informal, but it

must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim at 10:00 am, September 30, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD. The September 30, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 18, 1992.

If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-18 thru 46-2A-18, 46-2A-22; 46-5-1 thru 46-5-6.1, 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

Contact Eric Gronlund by September 18, 1992, at the above Water Rights Division address to: 1) request copies of information pertaining to a vested right claim or a copy of the vested water right claim list for another county; 2) to obtain a summary of South Dakota Water Law and Water Rights Information; 3) to assure access to the hearing by the handicapped; or 4) obtain an interpreter for the hearing impaired.

Robert E. Roberts,
Secretary
Department of Environment
and Natural Resources
No. 443 (add.)

13 4 22, 4 42 42

SOUTH DAKOTA

VESTED WATER RIGHT NO. 343-3 FOR IRRIGATION

Date of Receipt of Claim November 23, 1956.

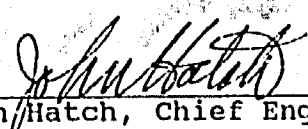
Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 343-3 for irrigation purposes for Huron Colony, c/o Jake Wollman, Rt 2, Box 185, Huron SD 57350 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 343-3 appropriates 0.88 cubic feet of water per second from the James River located in the S 1/2 SE 1/4 Section 30-T113N-R61W and the SE 1/4 Section 25-T113N-R62W to irrigate 109 acres located in the S 1/2 SE 1/4 Section 30-T113N-R61W and the SE 1/4 Section 25-T113N-R62W.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: April 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1947.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By:


John Hatch, Chief Engineer

OCT 28 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



343-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 28 1992

Huron Colony
c/o Jake Wollman
Rt 2, Box 185
Huron SD 57350

Dear Mr. Wollman:

The Water Management Board has validated the enclosed Vested Water Right No. 343-3. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

Sec. 24. Pleasant View Twp. R. 62. T. 113. Beadle Co.

113-62

211.7

3.82A

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

BEADLE COUNTY A.S.C.S.

Box 1297

33A

NW $\frac{1}{4}$ NE $\frac{1}{4}$
28 AC.

Huron, S. D. 57350

B. S. Smith
8" PVC PIPE

CP

113 AC

SW $\frac{1}{4}$ SE $\frac{1}{4}$
24 AC

SE $\frac{1}{4}$ NE $\frac{1}{4}$
28 AC.

56.8

123.9

16.1

11.0

To for this in
for that area in
see 25

37.4

31.8

2.9

24

65.3

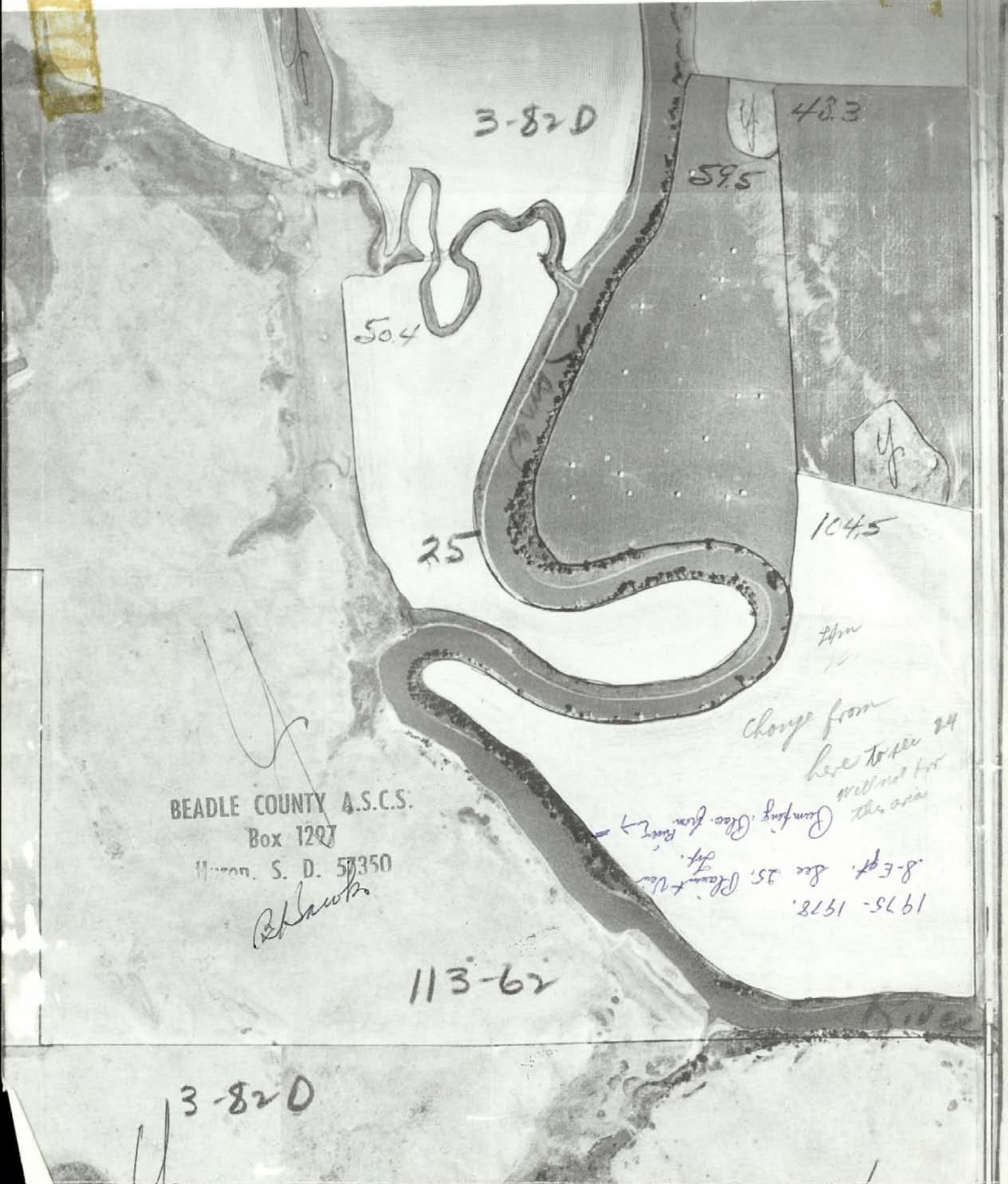
71.4

28.8

113-62

MAP # 35883 APPL. 343-3 343-3A

Sec 25, Pleasant View Twp. R. 62, T 113, Beadle Co.



BEADLE COUNTY A.S.C.S.
Box 1297
Huron, S. D. 57350

Chapman

Change from
here to sec 24
will not be
the area
8-Egt. Sec 25, Pleasant View
Twp.
1975-1978

113-62

3-820

3-820

63.8

109.9

30

Noron Colony

19.8

45.5

8.1

47.4

22.7

113.6

67.1

#343-3

Spencer

3-820

1141
NOT TO SCALE

6.7

67.1

76.9

49

816

244

1116

178-175 L

42.0

31

48.8

6.3

93.4

James
H. Green

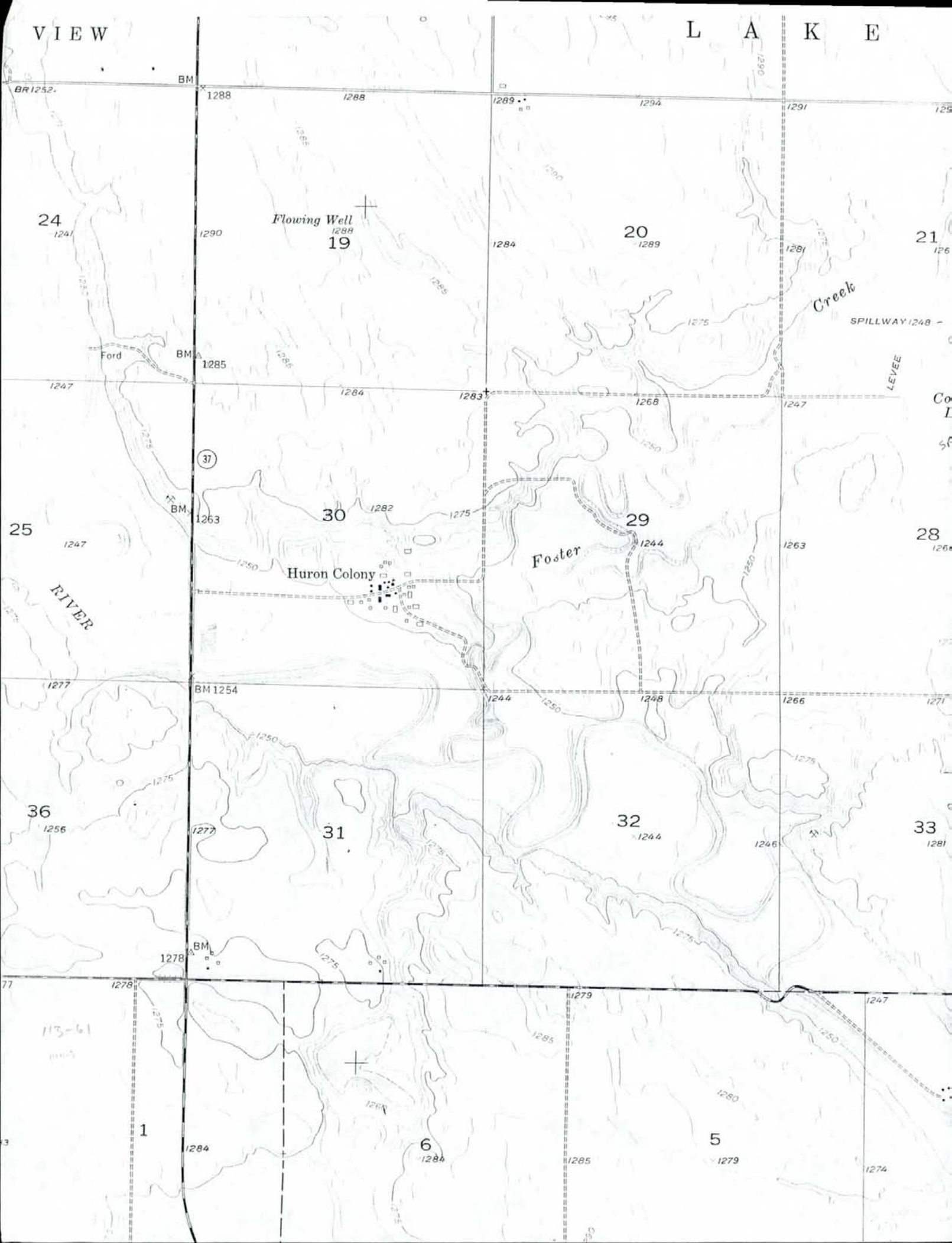
John
Green

23.5

113-61

VIEW

L A K E



NOT TO SCALE



Ron Duval
Natural Resources Eng
4/25/85

Permit No. 343-3A
Map No. 3588-3

NOT TO SCALE

NOT TO SCALE

