

Water Right Number 3479-3

1. Considered 2-23, 19 77

2. Name of Applicant BOB KOHNEN

3. Post Office Address HITCHCOCK

4. Amount of Water claimed 2.2

5. Source of Water supply 90' WELL

6. Water to be used for IRRIGATION

Acres to be irrigated 165

7. Water to be diverted and used in BEADLE County

about 11 W miles of HITCHCOCK

8. Proof of Publication

Received 2-17-77

Not Received _____

9. Application

Approved _____

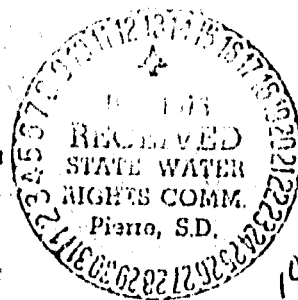
Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

No. 3479-3
 Map No. 2759-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Bob Kohnen
 Postoffice address Hitchcock State South Dakota 57348
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Bob Kohnen - UNIT #2
 4. Amount of water claimed (cubic feet per second) 2.7
 5. Source of water supply Ground Water
 6. Location of point of diversion NW¹ SE¹ SECTION 2, T113N, R65W
 _____ County Beadle

7. Annual period or periods during which water is to be used March - November
 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 165

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.
<u>E$\frac{1}{2}$ of 2-113-65</u>	<u>165</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman, Huron, S.D. 57350
 12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
) ss
 County of Beadle)

I, Bob Kohnen 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 Bob KohnenSubscribed and sworn to before me this 7 day of December 19 76

Notary Public (or other qualified officer)

NOTARY COMMISSION
 EXPIRES NOV. 4, 1984

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3479-3

BOB KOHNEN
(Applicant)

HITCHCOCK
(Post Office Address)

SOUTH DAKOTA 57348 With the following modifications:
(State)

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Date of first receipt of application DECEMBER 13, 19 76
Date of return to applicant for correction, amendments or changes required —, 19 —
Date of receipt of corrected application JANUARY 10, 19 76
Approved FEBRUARY 24, 19 77, Recorded in Book 17 Page 194

WATER RIGHT PERMIT NO. 3479-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3479-3 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 13, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 24, 19 79
3. The whole of said work is to be completed on or before FEBRUARY 24, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 24, 19 84
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 2.2 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 purpose 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 FEBRUARY 24, 19 84; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 13TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatfield
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

R. Rasmussen
FOREMAN

[illegible]

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

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. *Log will be provided by driller

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property 160 rds. On property owned by others 160 rds.

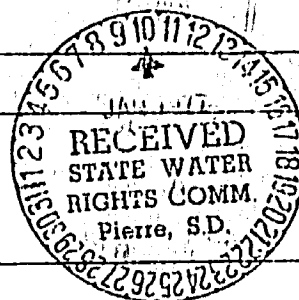
G. Water Storage Dams.

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.

Bob Fohnen
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 Bob Kohnen UNIT #2
ADDRESS Hitchcock, South Dakota 57348
COUNTY Beadle



LEGAL DESCRIPTION

1. WELL LOCATION NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of 2-113-65
2. LOCATION OF AREA TO BE IRRIGATED East $\frac{1}{2}$ of 2-113-65

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn and Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-2035
6. SALINITY (EC X 10⁶) 1402
7. SODIUM (SAR) 4.12
8. RESIDUAL SODIUM CARBONATE (meq/l.) 5.47 Danger!

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 Beadle Conservatio 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.

Bob Kohnen
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
7 DAY OF December 19 76

Norme C. Ostry
(TITLE OR SEAL)

Alfred A. [Signature]
APPROVED

MY COMMISSION
EXPIRES NOV. 4, 1984

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57005

Submitted by: Robert Kohnon
 Address: Hitchcock, SD 57348
co: Huron Drilling, Inc.
P.O. Box 1422
Huron, SD 57350

Date Rec'd: December 16, 1976
 Sample No. 76-2035
 Identification #2 11-90
SE1, Sec. 2, T 113N, R 65W

WATER ANALYSIS

Calcium (Ca)	60	ppm*	3.00	me/l**
Magnesium (Mg)	43	ppm	3.53	me/l
Sodium (Na)	171	ppm	7.44	me/l
Potassium (K)	16	ppm	0.42	me/l
Sulfate (SO ₄)	105	ppm	2.18	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	45	ppm	1.26	me/l
Bicarbonate (HCO ₃)	732	ppm	12.00	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)	600	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1402	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	4.12			
Sodium	51.70	% of cations		
Residual sodium carbonate	5.47	me/l		
pH	7.45			

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

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

COMMENTS: Total cations 14.39 me/l
 Total anions 15.44 me/l

By: Shirley Pittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2035

Amount Enclosed \$

Signed



December 20, 1976

Mr. Bob Kohnen
Hitchcock, SD 57348

Dear Mr. Kohnen:

Your water sample (Lab. No. 76-2035) 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
P.S. The 5 or 6 areas of claypan or poorly drained soils must be either avoided or provided with drainage.

→ A sodium problem with this water may develop more claypan or gumbo-like soils requiring gypsum in the years to come.

Form 6 - Notice of Intent to Appropriate Water

No. 3479-3

Publish first publication, on or before February 10, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 3, 19 77

Notice is hereby given that Bob Kohnen

whose post office address is Hitchcock, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

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

Bob Kohnen-Unit # 2, the point of diversion of which is to be located in the

NW 1/4 SE 1/4

of Section 2, Twp. 113N, Range 65W. Said water to be used for the purpose of providing irrigation on the following described land:

E 1/2, Section 2-T113N-R65W

This application No. 3479-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23 day of February, 19 77, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Bob Kohnen, Hitchcock, South Dakota 57348

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

No. 3479-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County _____) ss.

I, Byrda Haskett hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plainsman

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 Huron of _____

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

2-10-77

2-17-77

Brenda Haskett
(Signature)

Bookkeeper

(Title)

2-17-77

(Date Signed)

F.P. 2-10-77
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
February 3, 1977
Notice is hereby given that Bob
Kohnen whose post office address
is, Hitchcock, South Dakota, has
made an application in accordance
with the provisions of the water
laws of South Dakota for a permit
to appropriate for beneficial use
2.2 cubic feet of water per second
of time from ground water through
the Bob Kohnen Unit No. 2, the
point of diversion of which is to be
located in the NW 1/4 SE 1/4 of Sec-
tion 2, Twp. 113N, Range 45W, said
water to be used for the purpose of
providing irrigation on portions of
the following described land: E 1/2
Section 2, T113N, R45W, S4872312.
This application No. 3479-3 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 23rd day of
February, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.
WATER RIGHTS COMMISSION
BURTON F. JONES
Water Rights Specialist
No. 109 (adv.)



Form 10.

No. 3479-3 *Beattie*



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

Post Office Hitchcock SD

Date July 16, 1978

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3479-3

Water Right Permit No. 3479-3 states that the diversion system is to be constructed by April 27, 1982 and that the water is to be put to beneficial use by April 27, 1984.

The diversion system was completed on July 16, 1978.
Applying the water to beneficial use was completed on July 16, 1978.

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

Bob Kohnen
(Signature)

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
March 31, 1986

Bob Kohnen
RR 2, Box 86
Hitchcock, SD 57348

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 4237-3 and 3479-3. The request for the Questionnaire was made November 13, 1985. The Water Management Board has directed that owners of permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

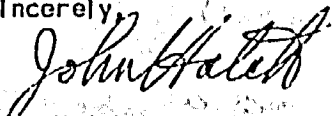
The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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 1-2b. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 4237-3 and 3479-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,



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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

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

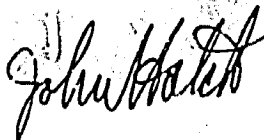
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Bob Kohnen
RR 2 Box 86
Hitchcock, SD 57348

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



SUBJECT: Amendment to Water Permit No(s). 3479-3 & 4237-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 3479-3 & 4237-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

Attachment to Water Permit No. 3479-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 3479-3 to add the following qualification:

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

Equal Opportunity Employer

3479-3

South Dakota
Department of
Water & Natural Resources

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

January 29, 1988

BOB KOHNEN
RR #2 BOX 86
HITCHCOCK, SD 57348

NOTICE

Re: Violation of Water Permit No(s). 3479-3, 4237-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 3479-3, 4237-3. 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). 3479-3, 4237-3 qualification:

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

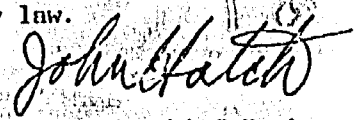
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

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

1. Suspend Permit No(s). 3479-3, 4237-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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


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

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



Department of Water & Natural Resources

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: BOB KOHNEN
RR 2 BOX 86
HITCHCOCK, SD 57348

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

SUBJECT: One Year Suspension Of Water Permit No(s). 3479-3,
4237-3

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 3479-3, 4237-3 be **SUSPENDED** until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

● **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. 2. ☐ Restricted Delivery
 (Extra charge) (Extra charge)

BOB KOHNEN
 RR 2 BOX 86
 HITCHCOCK, SD 57348

4. Article Number

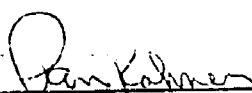
P501 738 990

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

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

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

X 

6. Signature - Agent

X

7. Date of Delivery

3-15-88

PS Form 3811, Mar. 1987

★ U.S.G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT

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

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

April 14, 1988

NOTICE

TO: Bob Kohnen, RR #2 Box 86, Hitchcock, SD 57348

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

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Permit Nos. 3479-3
and 4237-3

The hearing on your March 15, 1988, request to the Water Management Board to reconsider suspension of Water Permit Nos. 3479-3 and 4237-3 has been scheduled for 9:15 am, May 11, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated January 29, 1988, 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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or taken no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General

CERTIFICATION

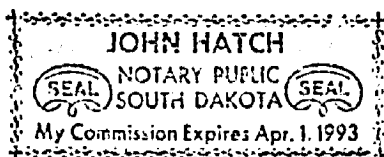
I hereby certify that on April 14, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Hearing to Consider Request for Reconsideration of Suspended Permit addressed as follows:

Bob Kohnen
RR 2, Box 86
Hitchcock SD 57348

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of April, 1988.



John H. H. H.
Notary Public

March 15, 1988



Bob Kalman
RR2 Box 86
Hibbard, S.D.

57348

Upon receiving your letter, I called and spoke to Dale Guss. He said, the correct procedure for me is to write and set an appointment to appear before the Water Right Diver Board on May 11. I would like to do this. It is necessary for me to irrigate. I understand the papers were very late, you probably received them the same day. I received this notice. Please consider this request.

Thanks
Bob Kalman

Bob Kohnen
Water Permit Nos. 3479-3 & 4237-3

GENERAL

Water Permit No. 3479-3 submitted by: Bob Kohnen
Hitchcock, SD 57348

Permit Approved: February 24, 1977

Water Permit No. 4237-3 submitted by: Robert Kohnen
RR #2
Hitchcock, SD 57348

Permit Approved: January 31, 1979

Water Permit Nos. 3479-3 and 4237-3 were Amended May 14, 1986 to include the "irrigation questionnaire" qualification for violation of the requirement to submit the 1985 questionnaires.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Questionnaires Returned</u>	<u>Date of Any Board Action</u>
*1983	November, 1983	August 6, 1984	none
1984	October, 1984	October 22, 1984	none
1985	November, 1985	no report filed	May 14, 1986
1986	November, 1986	November 25, 1986	none
1987	October, 1987	March 15, 1988	March 2, 1988

- * In 1983, the address was corrected to add "RR #2 Box 86" to Hitchcock, SD

PAST VIOLATIONS

1. Violation of Requirement to Submit 1985 Irrigation Questionnaire:

March 31, 1986, Mr. Kohnen was given notice of violation of requirement to submit his 1985 irrigation questionnaires for Water Permit Nos. 3479-3 and 4237-3 and of the hearing scheduled before the Water Management Board to be held May 14, 1986.

May 14, 1986, The Water Management Board amended Water Permit Nos. 3479-3 and 4237-3 to require the irrigation water use questionnaire to be submitted each year.

May 20, 1986, Mr. Kohnen was notified of the board action to amend his permits.

3. 1987 Irrigation Questionnaire Violation

January 29, 1988, Mr. Kohnen was given notice of permit violation for non-return of his 1987 irrigation questionnaires and of the hearing scheduled before the Water Management Board to be held March 2, 1988.

March 2, 1988, The Water Management Board suspended Water Permit Nos. 3479-3 and 4237-3 until December 31, 1988.

March 14, 1988, Mr. Kohnen was notified of the Board action to suspend his permits.

March 15, 1988, the 1987 irrigation questionnaires for Water Permit Nos. 3479-3 and 4237-3 were received.

March 21, 1988, a letter was received from Bob Kohnen requesting to appear before the Water Management Board May 11, 1988.

April 14, 1988, Mr. Kohnen was sent a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit Nos. 3479-3 and 4237-3.



Department of Water & Natural Resources

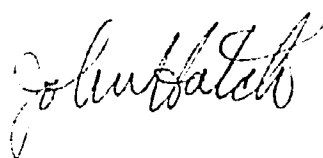
Joe Foss Building
523 East Capitol
Pierre South Dakota 57501-3181

May 13, 1988

NOTICE

TO: Bob Kohnen
RR 2, Box 86
Hitchcock SD 57348

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



SUBJECT: Reinstatement of Suspended Water Permits and Notice of
One Year Suspension Without Reinstatement for Future
Irrigation Questionnaire Violations

The Water Management Board, following the May 11, 1988, hearing
passed the following motion:

"That the owners of Water Permits No. 1372-2 (Earl Sonnenschein & Sons); 1731-2 (Buckles Ranch); 235-3 (Russell Doolittle); 2171-3, 2497-3, 3229-3 (Harlan Stadheim); 2174-3, 2175-3, 2413-3, 3223-3, 4353-3, 5026-3, 5038-3 (Poinsett Hutterian Brethern); 3264-3 (John Heber); 3479-3, 4237-3 (Bob Kohnen) 3825-3 (Rod Page, operator); 4017-3 (Martin Ronning); 4257-3 (Patricia Ronning & Jeanette Hurrell); 4521-3 (Tom/William Maher & Harvey Buhl); 4564-3, 4611-3 (Wendell Bishop); 4660-3 (Dihl Grohs); 4732-3 (Gerald Benjamin); 4741-3 (Lois J Elsingher); 4827-3 (Gary Smith); 4844-3 (Gerald Goetsch); 4966-3 (Delano Hofer); 4985-3, 4992-3, 5043-3, 5044-3 (Ray & David Hanson); 4754-3 (Richard Beare); and 375-2 (Rhea Brill), have now submitted the 1987 irrigation questionnaires for these permits, that a 60 day suspension period has been completed and that these permits are reinstated effective immediately. The owners of the permits are also NOTIFIED that failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement."

If you have any questions, please contact us.

cc: Water Management Board



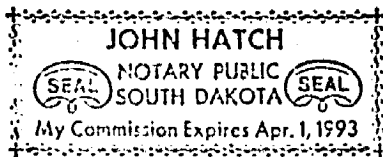
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Karen Schlaak
KAREN SCHLAAK
Senior Secretary

Sworn to, before me, this 16th day of May, 1988.

Notary Public





3479-3

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

January 7, 1992

Robert Kohnen
RR 2 Box 86
Hitchcock, SD 57348-9250

RE: Corrections to Permit

Dear Mr. Kohnen:

I conducted a licensing inspection of Permit Nos. 3479-3 and 4237-3 on September 24, 1991. At that time, you informed me that Peter B. Jahraus of the South Dakota Division of Conservation had inspected the lands irrigated under Permit Nos. 3479-3 and 4237-3. Mr. Jahraus found items to be corrected and sent you a new permit to fill out. This was done prior to my inspection in which I found an additional 52 acres being irrigated in the E1/2 Sec. 2 T113N-R65W. Another change to the permit is required, and this office will make the changes. A \$100.00 fee is required for the additional acreage. I am sending you a copy of the permit with the changes, and the map for your files.

I apologize for any inconvenience this may have caused you, and if you have further questions, please feel free to contact me.

Sincerely,

Lynn Beck
Natural Resource Engineer
Water Rights Division
(605) 773-3352

encl



3479-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 14 1994

5634-3

Robert Kohnen
RR 2, Box 86
Hitchcork, SD 57348-9250

Dear Mr. Kohnen:

Enclosed is Water License No. 5634-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413390 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5634-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit Nos. 3479-3 and 4237-3 have been incorporated into this Water License No. 5634-3.