

Water Right Number 355.3-3

1. Considered 2-23, 19 77
2. Name of Applicant William O. Hignmueller
3. Post Office Address St. Lawrence
4. Amount of Water claimed 2.00
5. Source of Water supply 40' well
6. Water to be used for irrigation
- Acres to be irrigated 260
7. Water to be diverted and used in Hand County
about 7N, 12E miles of Miller
8. Proof of Publication Received 2-22-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 3553-3
 Map No. 2833-3 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 WILLIAM OLIGNIEMER
 Postoffice address St. LAURENCE, State S. DAK.
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of Others
 3. Name of diversion work CENTERED POND
 4. Amount of water claimed (cubic feet per second) 2.0 (900 GPM)
 5. Source of water supply WELL
 6. Location of point of diversion NE 4 NE 4 8-113-66
4 1/2 S. W. 65 Rd. South of NE corner Sec 8-113-66
 County HAND
 7. Annual period or periods during which water is to be used MAY - 15 SEPT.
 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 40

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 4 NW 4 8-113-66	40	NW 4 NE 4 8-113-66	40
SW 4 NW 4 8-113-66	40	SW 4 NE 4 8-113-66	40
NE 4 NW 4 8-113-66	40	NE 4 NE 4 8-113-66	40
SE 4 NW 4 8-113-66	40	SE 4 NE 4 8-113-66	40

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 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 MILLER PRESS
 12. Principal Features of the Proposed Water Supply System.

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

Direct Engine Ponds

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

PLASTIC PIPE, BURIED

C. Works proposed to apply water to beneficial use.

1200 ft. Center PondEstimated Total Cost \$ 40,000

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

STATE OF SOUTH DAKOTA

County of Hand

I, William J. Oligmiller, 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 later, and am able to complete the necessary construction.

Signed William J. OligmillerSubscribed and sworn to before me this 13th day of January, 1927

Edmund J. Engelke
 Notary Public (or other qualified officer)

Comm. expires 2-5-28

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3553-3

WILLIAM OLIGANUELLER
(Applicant)

ST LAWRENCE
(Post Office Address)

SOUTH DAKOTA 57373
(State)

With the following modifications:

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

Date of first receipt of application JANUARY 14, 19 77

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of corrected application FEBRUARY 1, 19 77

Approved FEBRUARY 24, 19 77, Recorded in Book 17 Page 250

WATER RIGHT PERMIT NO. 3553-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3553-3 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 JANUARY 14, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before FEBRUARY 24, 19 78
3. The whole of said work is to be completed on or before FEBRUARY 24, 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 24, 19 81
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 20 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year, and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before FEBRUARY 24, 19 81, said water to be used during the following described annual period: MAY 1 THRU SEPTEMBER 15

Witness my hand this 14TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By: John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 40 ft.
(2) Casing, Type STEEL Diameter 14" Thickness 3/8"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type STAINLESS STEEL, Diameter 14", Length 10 ft.
(4) Gravel Pack, Thickness 4", Length of gravel pack 40 ft.

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials PEA-SIZE GRAVEL 20-40 ft.

Depth to top of water bearing material 18 ft.

Depth to bottom of water bearing material 40 ft.

Thickness of water bearing material 22 ft.

Depth to water (ground surface to water level) 12 ft.

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

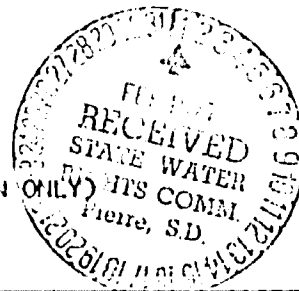
On same owner's property 300 rds. On property owned by others 300 rds.

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.

William A. Plummer
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 WILLIAM OLIGMUELLER
ADDRESS ST. LAWRENCE, S. DAK. 57373
COUNTY HAND

LEGAL DESCRIPTION

1. WELL LOCATION EAST SIDE OF HWY E 1/2 SEC 8, 113N 66W
2. LOCATION OF AREA TO BE IRRIGATED ALL 1/2 ACRES 113N 66W + NE 1/4 SEC 8, 113N 66W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ✓ GUN _____
4. CROPS TO BE IRRIGATED ALFALFA + CORN

WATER QUALITY

5. SAMPLE NUMBER 77-010
6. SALINITY (EC X 10⁶) 859 - moderately high
7. SODIUM (SAR) 0.95 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

William A. Oligmuller
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
6th DAY OF January 19 77.

Glenn L. Engelke
(TITLE OR SEAL)

Albert J. [Signature]
APPROVED/DISAPPROVED

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

Submitted by: William Oligmueller Date Rec'd: January 4, 1977
 Address: St. Lawrence, SD 57373 Sample No. 77-010
 Identification: Well-40
NE 1/4, Sec. 8, T 113N, R 66W

WATER ANALYSIS

Calcium (Ca)	91	ppm*	4.55	me/l**
Magnesium (Mg)	38	ppm	3.12	me/l
Sodium (Na)	43	ppm	1.87	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	126	ppm	2.62	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	26	ppm	0.73	me/l
Bicarbonate (HCO ₃)	427	ppm	7.00	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)	350	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	859	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.95			
Sodium	19.27	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.23			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 9.70 me/l
 Total anions 10.35 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

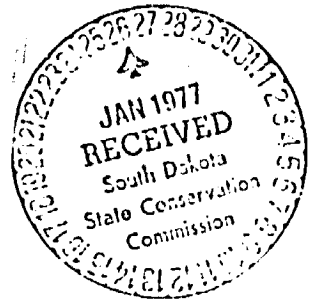
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-010

Amount Enclosed \$

Signed



January 24, 1977

Mr. William Oligmueller
St. Lawrence, SD 57373

Dear Mr. Oligmueller:

We have completed the analysis of your water sample and the original copy of the report is enclosed for your keeping. Also enclosed is a copy of AES pamphlet #13 with the quality of this water for irrigation designated approximately by means of a red cross in the diagram on the outside back cover. It is fairly good water.

The difficulty with this proposal is that the soils are very poorly or absolutely unsuited to irrigation. Only the area designated as LRA on the west side of the NW quarter is at all suitable to cultivated crops. The depth of rooting would be restricted with either corn or alfalfa, very severely on all the other soils except the HKB in the corner of the SE quarter and would be restricted to some extent even on the soil labeled LRA, the Lane-Exline.

The Exline is a soil with severe claypan problem. It is also a component of the Aberdeen and other complexes of soils mapped in Spink County and has practically no productive capability whatever under irrigation. We have tried it and find almost complete failure unless water is kept on the crops about 2/3 of the time. That is, the depth of rooting is normally only 8 or 9 inches and you cannot possibly produce satisfactory yields.

This being the case, I recommend that you proceed with this development only of the west half of the NW quarter. After you have irrigated this for a year or two, you may wish to try additional areas. However, there is not much chance of success with corn or alfalfa or other deep rooted crops. Soil type crops perhaps with some shallow rooted alfalfa in with the grass would be the best suggestion I can make at this time.

Sincerely yours,

L. O. Fina
L. O. Fina
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

No. 3553-3

Publish first publication, on or before February 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 3, 1977

Notice is hereby given that William Oligmueller
whose post office address is St. Lawrence, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.0 cubic feet of water per second of time from the ground water through the
Oligmueller #1, the point of diversion of which is to be located in the _____

NE 1/4 NE 1/4

of Section 8, Twp. 113N, Range 66W. Said water to be used for the purpose
of providing irrigation on the following described land:
N 1/2, Section 8, T113N, R66W

This application No. 3553-3 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

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

William Oligmueller, St. Lawrence, S.D. 57373

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

No. 3553-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hand) ss.

I, Robert H. McFarlane hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Miller Press

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____
city _____ of Miller

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

February 10, 1977

February 17, 1977

Robert H. McFarlane
(Signature)

Publisher
(Title)

February 17, 1977
(Date Signed)

No. 3553-3
NOTICE
INTENT TO APPROPRIATE
WATER
Pierre, South Dakota 57591
February 3, 1977

Notice is hereby given that
William Oligmueller whose
post office address is St. Law-
rence, South Dakota, has made
an application in accordance
with the provisions of the
water laws of South Dakota for
a permit to appropriate for
beneficial use 2.0 cubic feet of
water per second of time from
ground water through the Olig-
mueller No. 1, the point of
diversion of which is to be
located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 8, Twp. 113N, Range
66W. Said water to be used for
the purpose of providing irrigation
on portions of the following
described land: N $\frac{1}{2}$, Section 8,
T113N, R66W.

This application No. 3553-3
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 per-
sons may appear and be heard.

WATER RIGHTS
COMMISSION

By: Burton F. Jones
Water Rights Specialist

FPNO 21

LPNO 22



3557-3 Wm Oligmiller

10-16-78 Buell - East 4 p.m. 31 p.m.

17 ft at 18 ft 17 ft 6 in.

17 ft 6 in. 17 ft 6 in. 375 p.m.

17 ft 6 in. 17 ft 6 in. 17 ft 6 in.

over 20 ft. 17 ft 6 in.

Get the 51 1/4 of the 5

Need promotion one more well 8

SE 1/4



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

November 29, 1978

William Oligmueller
St. Lawrence, SD 57373

Dear Mr. Oligmueller:

On October 16, 1978 I was at your place to inspect your Water Right Permit No. 3553-3. You were irrigating the SE $\frac{1}{4}$ of Section 5, T113N, R66W. This land was not covered in the permit. Therefore in order to comply with the South Dakota Water Laws, it will be necessary for you to submit an application to cover the acreage.

You indicated to me that the land in the NW $\frac{1}{4}$ of Section 8 was not very suitable for irrigation, therefore, you moved your center pivot between the NE $\frac{1}{4}$ of Section 3 and the SE $\frac{1}{4}$ of Section 5. If you wish to abolish the irrigation on the NW $\frac{1}{4}$ of Section 8 and irrigate the SE $\frac{1}{4}$ of Section 5, you will still need the new permit to make this change. The priority date will remain the same and the filing fee will be \$150.00. However, if you wish to irrigate the N $\frac{1}{2}$ of section 8 and add the SE $\frac{1}{4}$ of Section 5, the filing fee will be \$250.00 because you are adding additional acreage to your permit.

If you let us know what your plans are, we will make up the Form 2, "Application for Permit to Appropriate Water" for you and send it to you for your signature, fees, water capatability, etc. If you have any questions regarding the matter, please feel free to contact this office.

Sincerely,

LEROY J. MERNAUGH
Water Resources Engineer

LJM/gy



Department of Water & Natural Resources

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

March 31, 1986

Notice

Wm. OligmueUer
HQ# 1, Box 27
St. Lawrence, SD 57373

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). 3553-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water 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 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 3553-3 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: Wm. Oligmueller
HCR 1 Box 27
St. Lawrence SD 57373

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



SUBJECT: Amendment to Water Permit No(s). 3553-3

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). 3553-3 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



Department of Water & Natural Resources

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

Attachment to Water Permit No. 3553-3

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. 3553-3 to add the following qualification:

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

February 8, 1989

WILLIAM OLIGMUELIER
HCR #1 BOX 27
ST LAWRENCE, SD 57373

NOTICE

RE: Violation of Water Permit No(s). 3553-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 3553-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had 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). 3553-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being 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). 3553-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire 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, Chief Engineer
Water Rights Division
605 773-3352





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-318*

February 24, 1989

3553-3

William Oligmuelier
HCR 1 Box 27
St Lawrence, SD 57373

Dear Mr. Oligmuelier:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 3553-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,

A handwritten signature in cursive script that reads "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

February 9, 1990

WILLIAM OLIGMUELIER
HCR 1 BOX 27
ST LAWRENCE, SD 57373

NOTICE

RE: Violation of Water Permit No(s) 3553-3, 5288-3

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 3553-3, 5288-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had 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). 3553-3, 5288-3 qualification:

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

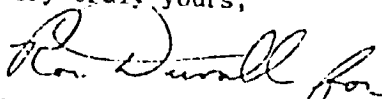
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

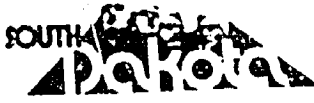
1. Suspend Permit No(s). 3553-3, 5288-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is 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

March 14, 1990

3553-3
5288-3

William Oligmueller
HCR 1 Box 27
St. Lawrence, SD 57373

Dear Mr. Oligmueller:

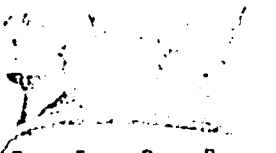
I am writing to acknowledge receipt of your 1989 irrigation questionnaires for Water Permit Nos. 3553-3 and 5288-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaires. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

RON DUVAL
Natural Resources Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

WILLIAM OLIGHUELIER
HCR #1 BOX 27
ST LAWRENCE SD 57373

DEPARTMENT OF WATER & NATURAL RESOURCES

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

3553-3

NOTICE

RE: Violation of Water Permit No(s) 3553-3, 5288-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 3553-3, 5288-3. 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) 3553-3, 5288-3 qualification:

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

The hearing will be held at 9:15 am, 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) 3553-3, 5288-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is 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

South Dakota



GREAT FACES. GREAT PLACES.
February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

3553-3

WILLIAM OLIGHUELLER
HCR 1 BOX 27
ST LAWRENCE SD 57373

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). (3553-3; & 5288-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 3553-3; & 5288-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of 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 South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 3553-3; & 5288-3 until either the 1990 chemigation report(s) 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.

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th 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

3553-3

February 26, 1991

<3553-3>
5288-3

William Oligmueller
HCR 1 Box 27
St Lawrence, SD 57373

Dear Mr. Oligmueller:

I am writing to acknowledge receipt of your 1990 Irrigation questionnaires and chemical application data for Water Permit Nos. 3553-3 and 5288-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 Irrigation questionnaire and Notice of failure to report chemical use. 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

3553-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

WILLIAM OLIGMUELLER
HCR #1 BOX 27
ST LAWRENCE SD 57373

NOTICE

RE: Violation of Water Permit No(s) 3553-3 & 5288-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 3553-3 & 5288-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3553-3 & 5288-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 3553-3 & 5288-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



3553

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

WILLIAM OLIGMUELLER
HCR 1 BOX 27
ST LAWRENCE SD 57373

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 3553-3; & 5288-3

The first notice to file chemigation report(s) for Permit No(s) 3553-3; & 5288-3 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 3553-3; & 5288-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

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

1. Suspend or cancel Permit No(s). 3553-3; & 5288-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

Very truly yours,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 1992

3553-3
5288-3

William Oligmuelier
HCR #1 Box 27
St Lawrence, SD 57373

Dear Mr. Oligmuelier:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 3553-3 and 5288-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



57501-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1992

WILLIAM OLIGMUELLER
HCR 1 BOX 27
ST LAWRENCE SD 57373

Dear Mr. OLIGMUELLER:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No(s). 3553-3; & 5288-3. You may disregard the January 27, 1992 Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division

3553-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 5 1992

5288-3

William Oligmueller
HCR 1, Box 27
St. Lawrence, SD 57373

Dear Mr. Oligmueller:

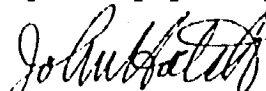
Enclosed is Water License No. 5288-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412124 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 5288-3, 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.

During the April 29, 1992 field inspection of your water use system, it was noted that your chemigation equipment did not comply with the chemigation rules. It is our understanding that you are not presently operating the chemigation equipment. If you intend to chemigate in the future, your equipment must be brought into compliance prior to any chemigation activities. A copy of the chemigation rules were forwarded to you June 29, 1992. If you need assistance or would like someone from our office to inspect the equipment once it is installed, please contact us.

Very truly yours,


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

enclosures

NOTE: The applicable portions of Water Permit No. (3553-3) have been incorporated into Water License No. 5288-3.

Wm: Oligmueller - Irrig. # 1

N² 8-113-66



Laurie L. Rzele DC

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APR 19 1966

NOT TO SCALE

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A. E 1/2 NE 1/4 Sec 8 113-66

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