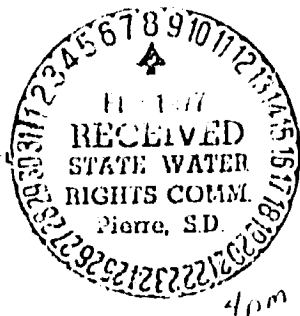


Water Right Number 3633-3

1. Considered 3-23, 19 77
2. Name of Applicant BONES HEREFORD RANCH, INC.
3. Post Office Address PARKER
4. Amount of Water claimed 4.57
5. Source of Water supply 88' & 99' WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 320
7. Water to be diverted and used in TURNER County
about 3E, 6S miles 1ST of PARKER
8. Proof of Publication Received 1ST
Not Received 4.14.77
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

Map No. 2909.3
142-3 Water Division No. 3 VERMILLION 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)

Bones Hereford Ranch

1. Name of Applicant: _____
 Postoffice address: Parker, State South Dakota 57053
 If a corporation show date and place of incorporation: _____
2. Method of accomplishing work (Contract, employment of others, or by direct labor): _____
3. Name of diversion work: Bones #2
4. Amount of water claimed (cubic feet per second): 4.5 - 2.75
5. Source of water supply: ground water (2 WELLS)
6. Location of point of diversion: #1 APPROX 20 RODS W & 80 RODS N OF THE SE CORNER SECTION 11, T98N, R53W. #2 APPROX 90 RODS S & 85 RODS W OF THE NE CORNER SECTION 14, T98N, R53W County Turner
 Annual period or periods during which water is to be used: April thru October
7. Annual period or periods during which water is to be used: _____
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: 316.6 361

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.
SE 1/4, Sec. 11, T98N, R53W	157.0		
NE 1/4, Sec. 14, T98N, R53W	159.6		

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: 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water: publication New Era, Parker, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Wells, pumps and motors

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

Mainline

C. Works proposed to apply water to beneficial use.

Sprinkler systems

Estimated Total Cost \$ 20,000.00

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

STATE OF SOUTH DAKOTA)
) ss.
 County of HUGHES)

I, Walter Bones 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

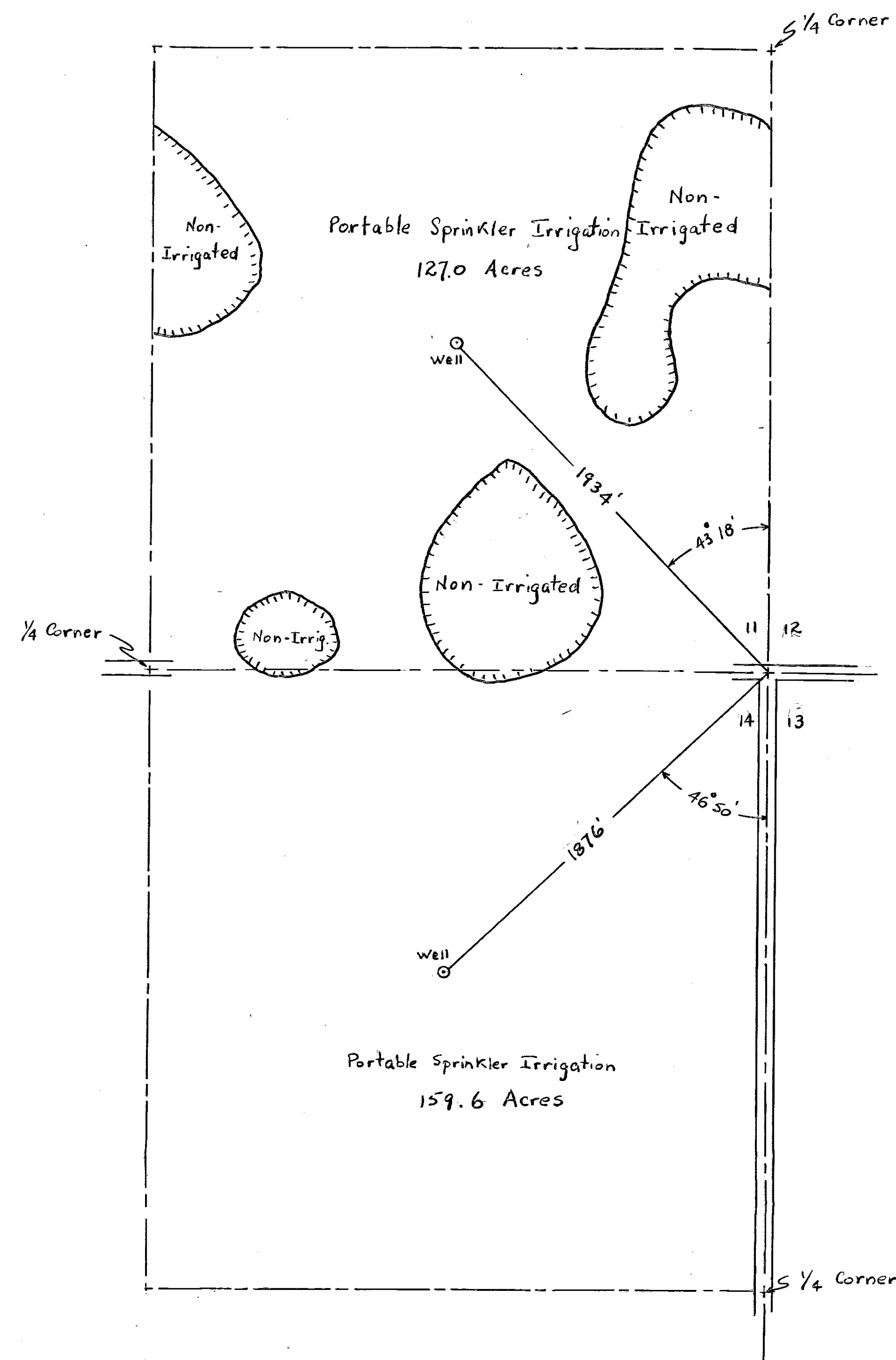
Walter Bones
 Subscribed and sworn to before me this 8th day of February 19 77

Notary Public (or other qualified officer)

BETTY WESTLUND, Land Water Clerk II

MAP SHOWING POINTS OF DIVERSION (2 WELLS) AND LANDS TO
BE IRRIGATED WITH WATER DIVERTED FROM WELLS

BONES STOCK FARMS, INC. OWNERS



N



LEGAL SUBDIVISIONS TO BE IRRIGATED:

S.E. 1/4 Sec. 11 T. 98N. R. 53W.	127.0 Acres
N.E. 1/4 Sec. 14 T. 98N. R. 53W.	159.6 Acres
Total	286.6 Acres

SCALE: 1 INCH = 400 FEET

Certified Correct: Martin M. Fogel
Extension Irrigation Specialist
South Dakota State College
Brookings, South Dakota

Subscribed and sworn to before me
this 24th day of April 1956

Geneva Orall
Notary Public for the State of South Dakota
Residing at Brookings, South Dakota
My commission expires Oct. 4, 1959

Appl. # 3633-7
Map No. 142-3
(Appl. No. 174-3) and
(Appl. No. 175-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3633-3
BONES HEREFORD RANCH, INC. BAKER
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57053 With the following modifications.
 (State)

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 FEBRUARY 8 19 77
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved MARCH 23 19 77 Recorded in Book 18 Page 302

WATER RIGHT PERMIT NO. 3633-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3633-3 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 FEBRUARY 8 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23 19 79
3. The whole of said work is to be completed on or before MARCH 23 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 86
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 4.5 3.72 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 MARCH 23 19 86; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 1ST day of AUGUST 19 77

WATER RIGHTS COMMISSION

By: John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 6 19 78
 Water License Issued FEBRUARY 6 19 78

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

D. Well Information or Estimates (2 Wells in the system)

- (1) Drill Hole, Diameter 18", Depth 1 - 88' (NE 1/4 11-98-53)
1 - 99' (SE 1/4 11-98-53)
- (2) Casing, Type steel Diameter 12" Thickness 3/8"
 (wood, concrete, steel, etc)
- (3) Perforated Screen.
 Type Johnson Low-Carbon, Diameter 12 3/4", Length 25'
- (4) Gravel Pack, Thickness 1", Length of gravel pack 10'

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 Approx. 12" topsoil and water bearing sand
and gravel down to bottom of wells.

Depth to top of water bearing material 12"
1 well - 88'
 Depth to bottom of water bearing material 1 well - 99'
87' and 93'
 Thickness of water bearing material 12'
 Depth to water (ground surface to water level) 12'

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

On same owner's property 1 - 30 rds. On property owned by others 110 rods - NE 1/4 11
210 rods - SE 1/4 11

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.

n/a

Matty Barnes
 Signature of Applicant

Bones #2
with well

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-5-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Bones Hereford Ranch, Inc.
ADDRESS Parker, S. Dak. 57053
COUNTY Turner

LEGAL DESCRIPTION

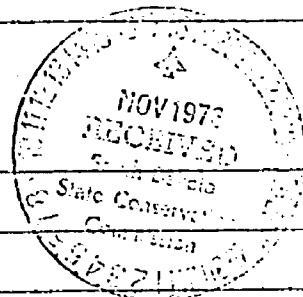
1. WELL LOCATION 193 $\frac{1}{2}$ ' N. 43 $^{\circ}$ 188' W. from the SE Corner Sec. 11-98-53
2. LOCATION OF AREA TO BE IRRIGATED SE $\frac{1}{4}$ 11-98-53 - 127 ac. more or less

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-1751
6. SALINITY (EC X 10⁶) 615 (medium)
7. SODIUM (SAR) 16 (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 Turner 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.

Bones Hereford Ranch Inc
by *Albert J. Hoffert* Bones Pres.

APPLICANT'S SIGNATURE

Approval does not imply that this project can be carried out successfully in all circumstances. Individual management will, to a large degree, determine the relative success of this venture.

SUBSCRIBED AND SWORN BEFORE ME THIS
20 DAY OF Nov 19 74.

Albert J. Hoffert
(TITLE OR SEAL)

APPROVED/DISAPPROVED

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

Submitted by: Pones Hereford Ranch, Inc. Date Rec'd: November 1, 1976
 Address: Parker, SD 57053 Sample No. 76-1751
 Identification: #2 North Well-48'
SE1, Sec. 11, T 98N, R 53W

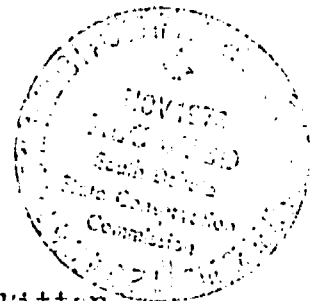
WATER ANALYSIS

Calcium (Ca)	66	ppm*	3.30	me/l**
Magnesium (Mg)	24	ppm	1.97	me/l
Sodium (Na)	6	ppm	0.26	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	152	ppm	3.15	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.15	me/l
Bicarbonate (HCO ₃)	220	ppm	3.60	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)	130	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	618	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.16			
Sodium	4.52	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	6.96			
Others:				

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

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

COMMENTS: Total cations 5.74 me/l
 Total anions 6.91 me/l



By: Shirley Litten

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. 76-1751

Amount Enclosed \$ _____

Signed _____

Bones #2
South well

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 Bones Hereford Ranch, Inc.
ADDRESS Parker, S. Dak. 57053
COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION: 1876' S. 146° 50' W. from the NE corner, Sec. 14-98-53
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 14-98-53

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-1750
6. SALINITY (EC X 10⁶) 711 (medium)
7. SODIUM (SAR) 0.35 (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 Turner 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.

SUBSCRIBED AND SWORN BEFORE ME THIS
30 DAY OF October 19 76.

Deborah L. Bones
(TITLE OR SEAL)

Bones Hereford Ranch Inc.
APPLICANT'S SIGNATURE
Apply for 22000 sq. ft. project can be carried
out successfully in all circumstances. Individual man-
agement will, to a large degree, determine the relative
success of the center:
Albert J. J. J. J.
APPROVED/DISAPPROVED

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

Submitted by: Tones Herford Ranch, Inc. Date Rec'd November 1, 1976
 Address Parker, SD 57053 Sample No. 76-1750
 Identification 72 South Well-55'
NE1, Sec. 14, T 98N, R 53W

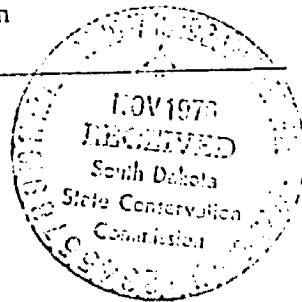
WATER ANALYSIS

Calcium (Ca)	61	ppm*	3.05	me/l**
Magnesium (Mg)	38	ppm	3.12	me/l
Sodium (Na)	14	ppm	0.61	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	150	ppm	3.12	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.17	me/l
Bicarbonate (HCO ₃)	264	ppm	4.32	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)	216	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	711	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.35			
Sodium	8.60	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.56			

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

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

COMMENTS: Total cations 7.09 me/l
 Total anions 7.61 me/l



By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1750

Amount Enclosed \$

Signed

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

Submitted by: Fones Hereford Panch
 Address Parker, SD 57053

Date Rec'd February 7, 1977
 Sample No. 77-197
 Identification Hell- Keeler

WATER ANALYSIS

Calcium (Ca)	47	ppm*	2.35	me/l**
Magnesium (Mg)	14	ppm	1.15	me/l
Sodium (Na)	4	ppm	0.17	me/l
Potassium (K)	27	ppm	0.70	me/l
Sulfate (SO ₄)	99	ppm	2.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	14	ppm	0.08	me/l
Bicarbonate (HCO ₃)	93	ppm	1.52	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)	76	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	516	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.13			
Sodium	74.29	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.19			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 4.37 me/l
 Total anions 3.66 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-197

Amount Enclosed \$

Signed

WATER LICENSE NO. 3633-3

(1) WHEREAS, On the 5th day of February, A. D. 19 77
Bones Hereford Ranch, Inc.

made Water Right Application No. 3633-3 for a permit to use 4.5 cubic feet per second of the waters
 of ground water

County of Turner, State of South Dakota, for Irrigation
 purposes; and

(2) WHEREAS, On the 1st day of August, A. D. 19 77

Permit No. 3633-3, with a date of priority of February 8, 1977
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 23rd day of March, A. D. 19 82 and for the
 application to beneficial use of said water on or before the 23rd day of March, A. D. 19 86

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert 3.72 cubic feet
 per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T28N, R53W

Section 11 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres

Section 14 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 26 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres

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

TOTAL 261 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Bones Hereford Ranch, Inc.

_____ of Parker
the holder _____ and owner _____ of said permit No. 3633-3 a water right, dating from February 8, 1977
_____ to use of 3.72 cubic feet per second of the waters
of ground water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____

points 100 rods W and 30 Rods N of the SE corner, Section 11, and 90 rods S and
35 rods W of the NE CORNER, Section 14, all in R93N, R53W

and conduct to and up on portions of Sections 11 and 14, T98N, R53W, Described on the face
of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3633-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of February A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 3633-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Bones Harford Ranch, Inc.

_____ the holder _____ of
Permit No. 3633-3, issued upon Application No. 3633-3, bearing date of priority of February 6,
1977 authorizing the diversion of 4.5 cu. ft. per second of the waters of _____
ground water County of Turner, State of South Dakota at _____
points 100 rods W and 80 Rods N of the SE corner, Section 11, and 90 rods S
and 85 rods W of the NE corner, Section 14, all in T96N, R53W
_____, for Irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 4.0 cu. ft. per second of water.

Date February 6, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

Form 6 - Notice of Intent to Appropriate Water

No. 3622-3

Publish first publication, on or before March 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 10, 1977

Notice is hereby given that Bones Hereford Ranch, Inc.
whose post office address is Parker, 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

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

Bones # 2, the point of diversion of which is to be located in the

Center of NW 1/4 SE 1/4, Section 11 and SW 1/4

of Section 14, Twp. 50N, Range 100W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

SE 1/4, Section 11, NW 1/4, Section 14, T50N, R50W

This application No. 3622-3 will be reviewed by the Water Rights Commission at their office at
Pierre upon the 23rd day of March, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

~~BERNARD J. MONKS~~ JAMES WINTERBORN
Water Rights Specialist

BEJ/bw

cc: Bones Hereford Ranch, Inc., Parker, SD 57053

STATE OF SOUTH DAKOTA)
) ss.
County TURNER)

Monday, March 27, 1977
(Date Signed)

cc: Bones Hereford Ranch, Inc.,
Parker, SD 57053.
(2tc51 March 10 & 17, 1977)



NE 1/4-1A

Southwell - Dept 6788 - 9357pm

1 1/2" diam. 4 1/3" dia
2 each 2 each 4 each
pallets

Speaker E. I. Kohn

Model - M854 (4.000)

Ex - # 5641. 1.56 North-60

South Pump Aurora Verti-Pump

Model 12RM Ex # 37771875

Dept 6588 2nd hand pump to work

Make Allen Chalmers

Ex # 51-355-427 100HP

Model 146 1770RPM

North system

1633-3 Butler Bros

9-7-77 Darrel Eide Farmer, Box 117-18, 78-2-2

SE 1/4-11

Motor Allen, Chelms

Ser # 1-3123-07325-1-1

150 HP. 1110 RPM

Pump Vertical by Dupre

Lot # 3777930

Type 12RM

Well depth 86 ft to water 35'

Reg. 2 in system by line

Motor Label

Alum 6" - 100 ft

Pumps 1100 - 100 - 4 1/2" dia

Hand in depth

8 pumps 1100 ft

Permit No. 3633-3Water Division 3 Vermillion River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Bones Heretford
Ranch, Inc. of Parker, South Dakota 57053 holder
 of Permit No. 3633-3, bearing date of priority of February 8, 1977,
 authorizing the diversion of 4.5 cu. ft. per second of the waters of Ground
 for Irrigation purposes, in Turner County.

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

The Water Use System consists of,

- A. Works used to divert the water: SE $\frac{1}{4}$ Sec. 11, Motor, Allis Chalmers, Ser# 1-5123-07325-1,
100 HP, 1770 RPM; Pump-Vertibloc by Aurora, Ser# 3777930.
Type 12-RM. Pumping 900 gpm.
NE $\frac{1}{4}$ Sec 14 - Motor - Allis Chalmers, Ser# 51-353-427, 100 HP.
Model 146, 1770 RPM. Pump. Vertibloc by Aurora, Model 12RM,
Ser# 37771575 Pumping 900 gpm
- B. Works used to transport water to place of use,
9800 ft 6" dia Aluminum Alums.
4 each 660 ft $4\frac{1}{2}$ " flexible hoses.
- C. Works used to apply water to beneficial use.
4 each E-Z Ram Sprinklers - Model MX54. 2 nozzles: $1\frac{1}{2}$ " dia.
2 nozzles 1.3" dia.

The system is in the following condition: Good.

The point of diversion is located #1 - Approx 100 Rds W + 80 Rds N at the SE corner of
Sec. 11, T98N R53W, #2 - Approx 90 Rds South + 85 Rds West at the NE corner
of Sec. 14, T98N R53W

The works are capable of diverting and conveying to the place of use 4.0cu. 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: In Section 11, T98N R53W,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 32 Ac; NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 26 Ac; SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 30 Ac; SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 20 Ac.
In Section 14, T98N R53W, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 35 Ac; NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 35 Ac;
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 Ac; SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 Ac.

comprising a total of 261 acres of land.

Well Data:

Well #1 -

Depth 56 ft

Depth to water 35 ft.

Pumping 900 gpm

Well #2

Depth 67 ft.

Pumping 900 gpm

Date November 16, 1977
Larry O McNaught
 (Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

February 15, 1973

Bones Hereford Ranch, Inc.
Parker, SD 57053

Gentlemen:

Enclosed herewith are, Water License No. 3633-3 and Certificate of Construction.

Water License No. 3633-3 is the final water right document completing your process of obtaining water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH: 9Y

Enclosures

NOTE: Your pump capacity is 4.0 cfs (1796 gpm). Based upon the acreage actually irrigated you are entitled to only divert 3.72 cfs (1670 gpm). Any diversion in excess of 3.72 cfs would be a violation of your water right.

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 Bones Hereford Ranch INC.

ADDRESS Parker, S. Dak. 57053

COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION 2 Wells 1- Approx. 100 rods W. and 80 rods N. of the SE corner of Sec. 11-98-53 and 1- Approx. 90 rods S. and 85 rods W. of the NE corner of Sec. 11-98-53.
2. LOCATION OF AREA TO BE IRRIGATED The SE $\frac{1}{4}$ 11 and the NE $\frac{1}{4}$ 11-98-53

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN 2
4. CROPS TO BE IRRIGATED Corn

WATER QUALITY

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10^6) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 Turner Co. Conservation District, County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Malta Bones
-APPLICANT'S SIGNATURE

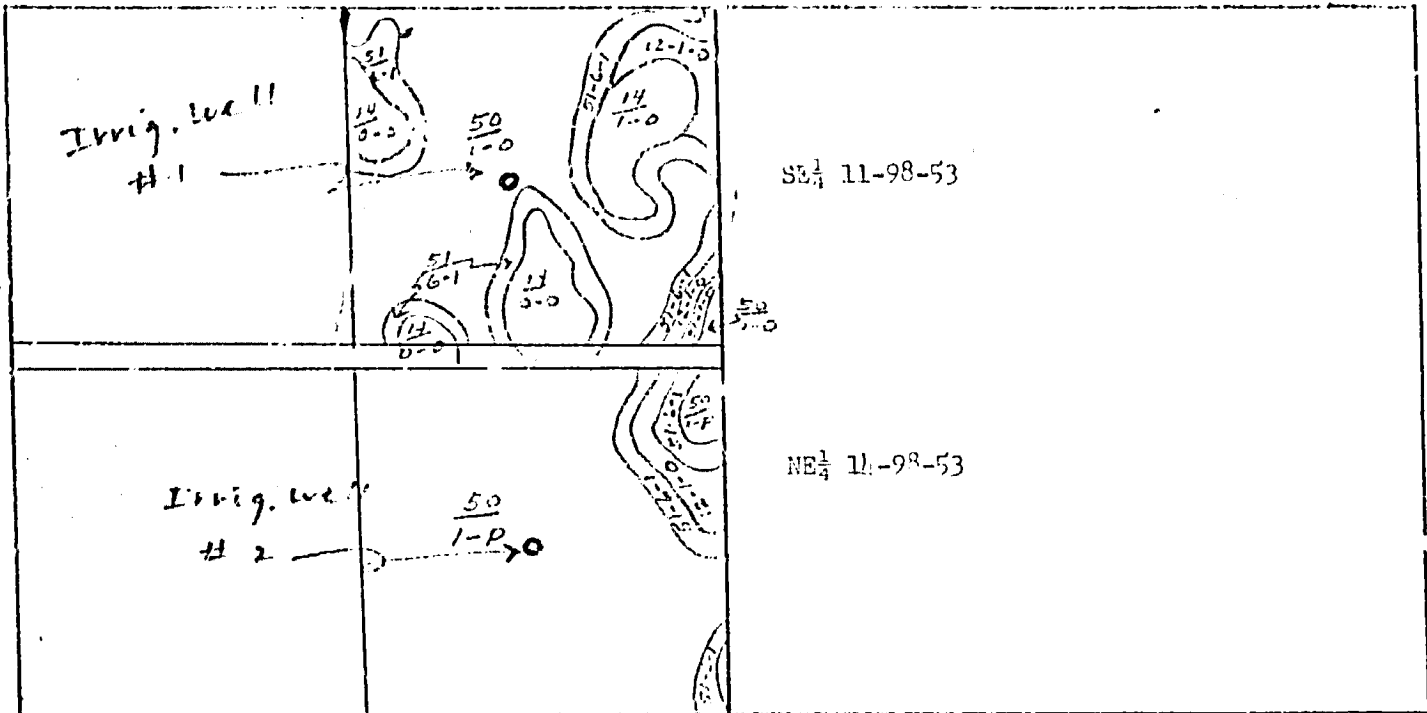
SUBSCRIBED AND SWORN BEFORE ME THIS
____ DAY OF _____ 19 ____.

(TITLE OR SEAL)

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

MAP



NARRATIVE

- $\frac{0_1}{0-0}$ - Very poorly drained sandy to clayey soils on nearly level (0-2%) bottom lands or depressions. The water table is at or near the surface during the growing season. Cap. Unit Vw1.
- $\frac{12}{1-0}$ - Deep, slowly permeable, clay soils on nearly level (0-2%) bottom lands that are somewhat poorly drained and occasionally flooded. Cap. Unit IIIw1
- $\frac{50}{1-0}$ & $\frac{50}{1-P}$ - Shallow soils with 10-20" of dark, loamy, material over sand and gravel on nearly level (0-2%) slopes. They have low water storage capacity and rooting zone. Cap. Unit IIIs3
- $\frac{51}{5-1}$ - Shallow soils with 10-20" of dark, loamy material over sand and gravel on gently undulating (2-6%) slopes. They have low water storage capacity and shallow rooting zone. Cap. Unit IVs2.



Department of Water & Natural Resources

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

May 26, 1988

Walter Bones
Bones Hereford Ranch
RR 1, Box 122
Parker, SD 57053

Dear Mr. Bones:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 3633-3.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,

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



6-21-88

Walt Brown

called in response to
our letter on no
use of water for 5 yrs.

Permit No. 3633-3

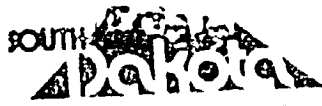
SE⁴ 11-98-53

NE⁴ 14-98-53

these 2 qtrs are in
wet acid areas,
difficult quarters to
irrigate - High line
across one & one
has slough area.
No pumps in wells.

Still want to keep print

JHatch



Department of Water & Natural Resources

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

November 13, 1990

3632-3
3633-3
3634-3

Senator Walt Bones
Bones Hereford Ranch
RR #1 Box 122
Parker, SD 57053

Dear Senator Bones:

Enclosed, as you requested, are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Permit No. 3632-3 and Water Right Nos. 3633-3 and 3634-3.

The transfer forms should be checked over for accuracy and signed by the new owner(s) in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

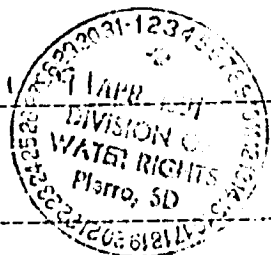
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 3633-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 4 - 11 - 91



I/We request that Water Permit/Right No. 3633-3
formerly owned by: BONES HEREFORD RANCH INC
be transferred to: (name & address) ALD. PLAINS FEEDERS
RR2 BOX 113 SUTHERLAND IA 51058 (telephone No.) 712/446-3301

Title to the following described land(s)/property has been transferred as described above:

SE 1/4 - 11 - 98 - 53

I/We understand that the validity of Water ~~Permit~~/Right No. 3633-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of _____)

I/We WALTER BONES 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, and that I know of my own personal knowledge that the information herein stated is true.

Bones Hereford Ranch Inc
By Walter Bones (Manager)
(Signed)

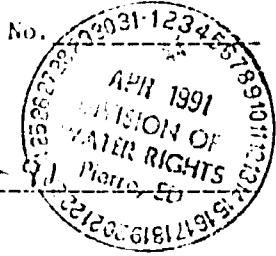
Subscribed and sworn to before me this 1 day of April, 19 91.

Douglas J. Pence
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

NOTICE OF TRANSFER OF OWNERSHIP



TO: Chief Engineer
Water Rights Division, DWRH
523 East Capitol
Pierre, SD 57501-3181

Date: 4-1-91

I/We request that Water Permit/Right No. 3633-3

formerly owned by: BONES HEREFIELD RANCH INC

be transferred to: (name & address) MID-PLAINS FEEDERS INC

RR2 Box 118 SUTHERLAND IA 51058 (telephone No.) 712/446-3301

Title to the following described land(s)/property has been transferred as described above:

NE 1/4 14-98-53

I/We understand that the validity of Water Permit/Right No. 3633-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of BENDSMAN)

I/We WALTER BONES 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, and that I know of my own personal knowledge that the information herein stated is true.

Bones Herefield Ranch Inc
Walter Bones
(Signed)

Subscribed and sworn to before me this 1 day of April, 1991.

Emmett J. Bone
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:
1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 3, 1991

3633-3

Walter Bones
Bones Hereford Ranch Inc
Parker, SD 57053

Dear Mr. Bones:

Enclosed is your check # 49669 in the amount of \$2.50. You submitted two checks and two transfer forms for filing an ownership change on Water Right No. 3633-3. The two transfer forms will be included with the water right, however, only one filing fee is required per water permit.

The transfer will be processed as soon as possible and a receipt sent to you for the \$2.50 filing fee. If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

encl

RECEIPT
Division of Water Rights
South Dakota Department of Water and Natural Resources

412622

Pierre, April 3, 1961

RECEIVED OF Bones Hereford Ranch Inc.
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 3633-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By John H. Hester
Chief Engineer



GREAT FACES. GREAT PLACES.

June 6, 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3191

No. (3633-3)

Walter Bones
Bones Hereford Ranch, Inc.
Parker, SD 57053

Dear Mr. Bones:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3633-3.

Our records now show Mid-Plains Feeders as the owner of Water Right No. 3633-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

cc: Mid-Plains Feeders



3633-3

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

December 15, 1992

3633-3

Paul or Annette Petersen
RR #1 Box 4A
Hurley, SD 57036

Dear Mr. & Mrs. Petersen:

Enclosed is the 1992 irrigation questionnaire you returned for Water Permit No. 3633-3, Mid-Plains Feeders. No. 3633-3 was transferred from Bones Hereford Ranch to Mid-Plains Feeders in April, 1991. The permit authorizes irrigation of the following land:

SE 1/4 Section 11, T98N, R53W
NE 1/4 Section 14, T98N, R53W

If you intend on leasing and/or managing this land in the future, I could mail the questionnaire directly to you if that would work better for you. You can include a note when submitting this year's form as to whether or not I should change the mailing.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



3633-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 28, 1994

No. 3633-3

Mid Plains Feeders
28122 South Dakota Hwy. 19
Hurley, SD 57036

Dear Sirs:

Enclosed is a blank "Notice of Transfer" form for use in filing an ownership change on Water Right No. 3633-3.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

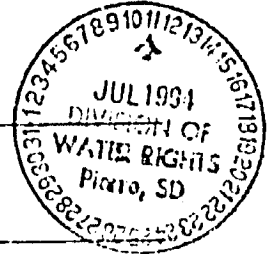
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 3633-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 7.5.94



I, We request that Water Permit/Right No. 3633-3

formerly owned by: Mid-Plains Furriers

be transferred to: (name & address) Bar K Cattle Co 5205 Avenue

Circle, Sioux Falls, S.D. 57106 (telephone No.) 605-336-7157

Title to the following described land(s)/property has been transferred as described above:

SE 1/4 11.98.53

I/We understand that the validity of Water Permit/Right No. 3633-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Turner)

I/We Robert W. Sick 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, and that I know of my own personal knowledge that the information herein stated is true.

Robert W. Sick
(Signed)

Subscribed and sworn to before me this 5th day of July, 1994.

Sharon A. Christensen
(Notary Public)

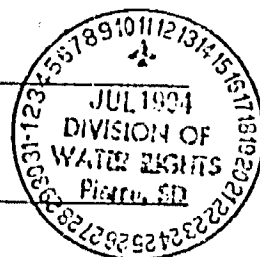
NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

NOTICE OF TRANSFER OF OWNERSHIP

No. 3633-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 7-5-94I, We request that Water Permit/Right No. 3633-3formerly owned by: Nick Plais F. & S.be transferred to: (name & address) Bar K Cattle Co.5705 Jasmine Circle, Sioux Falls, S. Dak 57104 (telephone No.) 605-336-7157

Title to the following described land(s)/property has been transferred as described above:

NE 1/4 14-98-53

I/We understand that the validity of Water Permit/Right No. 3633-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of _____)

I/We Robert W. Kirk 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, and that I know of my own personal knowledge that the information herein stated is true.

Robert W. Kirk
(Signed)

Subscribed and sworn to before me this 8th day of July, 1994.

Sharon A. Christensen
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414213

Pierre, _____ July 11, 19 94

RECEIVED OF Bar K Cattle Co., Inc., RR 1 Box 5, Hurley, SD 57036

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 3633-3	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



3633-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 11, 1994

3633-3

Robert Kirk, President
Bar K Cattle Company
5205 Jasmine Circle
Sioux Falls, SD 57106

Dear Mr. Kirk:

I am writing to acknowledge receipt of the two "Notice of Transfer of Ownership" forms you submitted for transferring Water Right No. 3633-3. Enclosed is your check No. 530 which you paid for filing one of the transfer forms.

Even though the water right describes two separate quarters of land, the acreage is covered under one water right. The two forms you submitted are acceptable, but only one fee is necessary.

The transfer of Water Right No. 3633-3 will be processed as soon as possible and a receipt for the filing fee will be forwarded to you. If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division

enclosure: your check #530



3633-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 12, 1994

No. 3633-3

Robert Kirk, President
Bar K Cattle Company
5205 Jasmine Circle
Sioux Falls, SD 57106

Dear Mr. Kirk:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3633-3.

Our records now show you as the owner of Water Right No. 3633-3

Sincerely,

A handwritten signature in cursive script that reads "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

NORTH - HURLEY

Water Rights Map #1 (See Water Rights Map #2 Also)

BONES HEREFORD RANCH IRRIGATION SYSTEM #

Bones Hereford Ranch-Owner

Parker, S. Dak. 57053

N

9853

R. 53 W.

73.9

154.5

3-21

LAND TO BE IRRIGATED:

NW-SE	11-98-53	-	40 ac.
NE-SE	11-98-53	-	40 ac.
SE-SE	11-98-53	-	40 ac.
SW-SE	11-98-53	-	40 ac.
NW-NE	11-98-53	-	40 ac.
NE-NE	11-98-53	-	40 ac.
SE-NE	11-98-53	-	40 ac.
SW-NE	11-98-53	-	40 ac.
Total			320 ac.

69.2

T. 98 N.

19.7

24.7

57.6

78.8

NW 1/4 SE 1/4 - 35 Ac

NE 1/4 SE 1/4 - 26 Ac

5 Ac
out

6" Main

out
15 Ac

Proposed Irrigation Well
#1

SW 1/4 SE 1/4 30 Ac

270' between
Runs 6

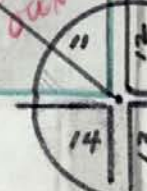
SE 1/4 SE 1/4 20 Ac

130 RODS - 53° W

9853

out
20 Ac

6 Ac
out



Map NE 29093 App N 3633-3

SOUTH HURLEY

Water Rights Map #2 (See Water Rights Map #1 Also)

BONES HEREFORD RANCH IRRIGATION SYSTEM #

Bones Hereford Ranch-Owner

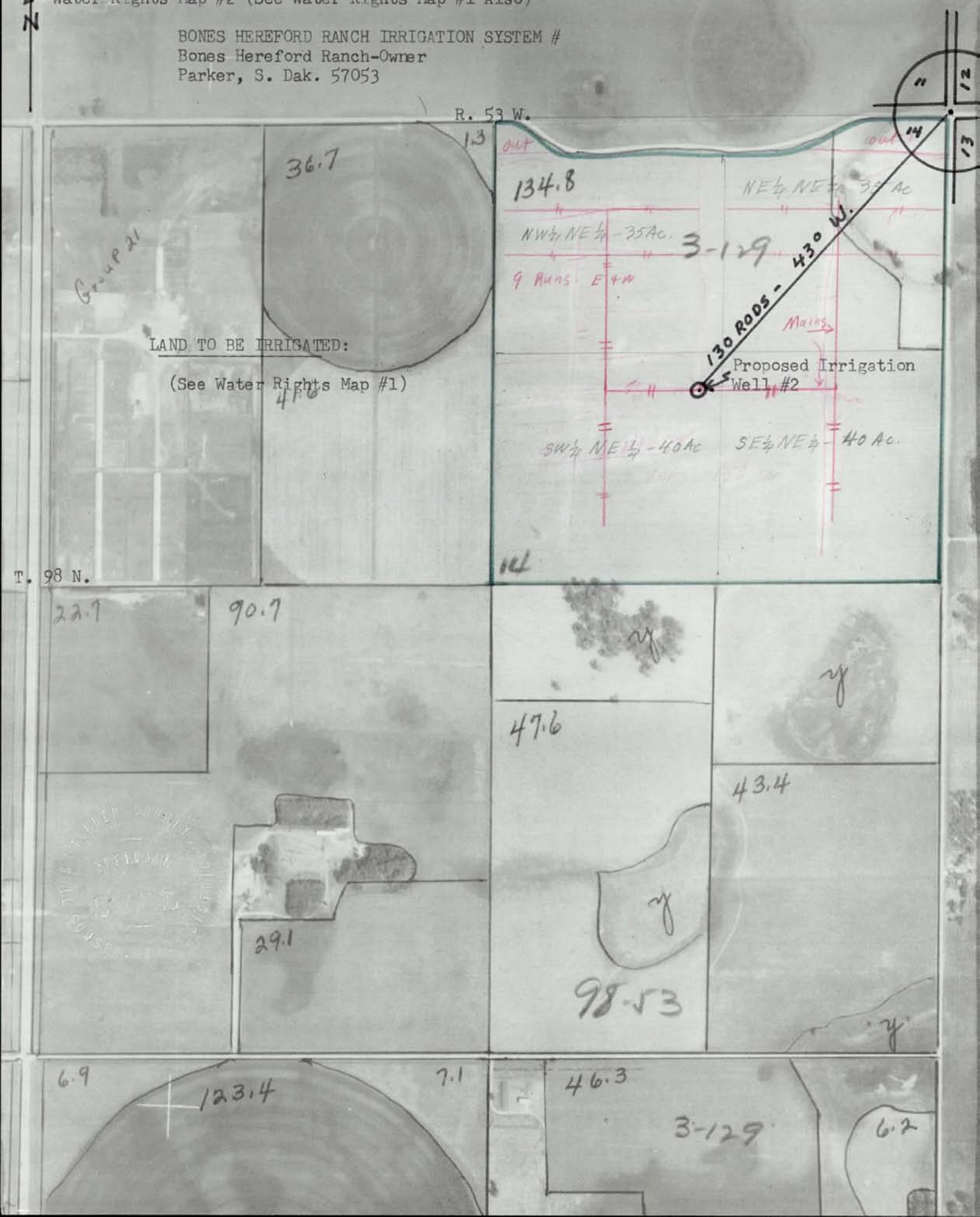
Parker, S. Dak. 57053

R. 53 W.

LAND TO BE IRRIGATED:

(See Water Rights Map #1)

T. 98 N.



NOT TO SCALE



3633-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 22, 2021

NOTICE

TO: PAUL PETERSEN, 45610 282ND ST, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: XTHTSS**

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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 2, 2021

Paul Petersen Farms
45610 282nd St
Hurley SD 57036

RE: Water Permit or Right Nos. 121-3A, 164-3, 199-3, 289-3, 1773-3, 2053-3, 2852-3, 3411-3, 3632-3, 3633-3, 3648-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3

Dear Mr. Petersen:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
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