

6/9/78

C

10-1-80

Small 80' deep well

Western Lame Pump TYPE 6M 710 CM 3/8 BH

Powered by 2.5 HP US Electric Motor Type RU

Well 60' Western Lame Pump Type 6M

Powered by 30 HP US Electric

Motor Type RU

50' diam 10" Line 6 Parts 710 CM 3/8 BH

10' buried plastic line to first pad

Electricity from 680 Series 5780 5.76

1200' long with end of #200

4036-3

EUGENE KEIJUN

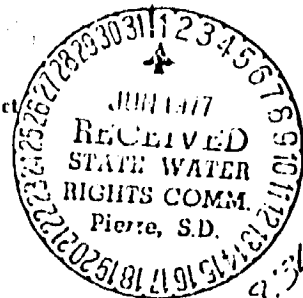
R.R. #2, Box 82

BRUCE, S.D. 5720

5-11-77

4036

1. Considered 7-27 1977
2. Name of Applicant Eugene Kleinjan
3. Post Office Address Bruce
4. Amount of Water claimed 2.85
5. Source of Water supply 2 -80' well
6. Water to be used for irrigation
Acres to be irrigated 200
7. Water to be diverted and used in Brooklyn County
about 45.2W miles of Bruce
8. Proof of Publication
Received 9-14-77
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 4036-3Map No. 3280-3 Water Division No. 3 BIG SIOUX RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Eugene Kleinjan RFD-2, 60482
Postoffice address Brice 57220 State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract, Direct Labor
3. Name of diversion work Eugene Kleinjan Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.85
5. Source of water supply Two wells
6. Location of point of diversion Well #1 - 1866' N 125° E of NW corner Sec 34-11-51; Well #2 - 2370' N 125° E of NW corner Sec 34-11-51 County Brookings
7. Annual period or periods during which water is to be used April through October
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 200

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW ^{1/4} of NW ^{1/4} Sec 34-11-51	40	W ^{1/2} of NW ^{1/4} of NE ^{1/4} Sec 34-11-51	20
NE ^{1/4} of NW ^{1/4} " 34-11-51	40	W ^{1/2} of SE ^{1/4} of NE ^{1/4} Sec 34-11-51	20
SE ^{1/4} of NW ^{1/4} " 34-11-51	40		
SW ^{1/4} of NW ^{1/4} " 34-11-51	40		

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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Volga Tribune
12. Principal Features of the Proposed Water Supply System.

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

Elec turbine pump

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machineEstimated Total Cost \$ 60,000Attachments. 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 BrookingsI, Eugene Kleinjan 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 constructionSigned Eugene KleinjanSubscribed and sworn to before me this 27 day of July 1927

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4036-3
EUGENE KLEINJAN Rt #2, BRUCE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57220 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 JUNE 1, 19 77
 Date of return to applicant for correction, amendments or changes required JUNE 1, 19 77
 Date of receipt of corrected application JUNE 24, 19 77
 Approved JANUARY 25, 19 78, Recorded in Book 19 Page 238

WATER RIGHT PERMIT NO. 4036-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4036-3 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 SEPTEMBER 14, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 25, 19 80
3. The whole of said work is to be completed on or before JANUARY 25, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 25, 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 2.85 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 25, 19 86; said water to be used during the following described annual period: APRIL thru OCTOBER

Witness my hand this 31ST day of JANUARY, 19 78

WATER RIGHTS COMMISSION

By: John H. [Signature]
 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 20", Depth 80'
(2) Casing, Type PVC (wood, concrete, steel, etc), Diameter 16" Thickness 3/8"
(3) Perforated Screen.
Type Cent slot, Diameter 16", Length 20'
(4) Gravel Pack, Thickness 7", Length of gravel pack 25'

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 0' to 3' top soil; 3' to 45' yellow
clay; 45' to 79' gravel; 79' + blue clay

Depth to top of water bearing material 45'
Depth to bottom of water bearing material 79'
Thickness of water bearing material 34'
Depth to water (ground surface to water level) 63'

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

On same owner's property 3800' rds. On property owned by others 2200' rds.

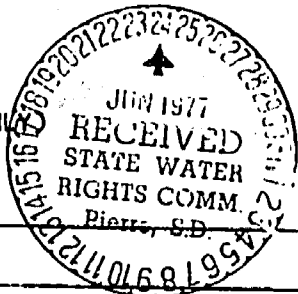
G. Water Storage Dams.

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.

Eugene Klingman
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

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 Eugene Klein JAN
ADDRESS Bruce - 577-20
COUNTY Brookings

LEGAL DESCRIPTION

1. WELL LOCATION Center of NW 1/4 34, 111, 51
2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 + W 1/4 corners of NE 1/4 Sec 34 - 111 - 51

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-845
6. SALINITY (EC X 10⁶) 1299 (high)
7. SODIUM (SAR) 0.33 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

Eugene Klein JAN
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
27 DAY OF July 1977.

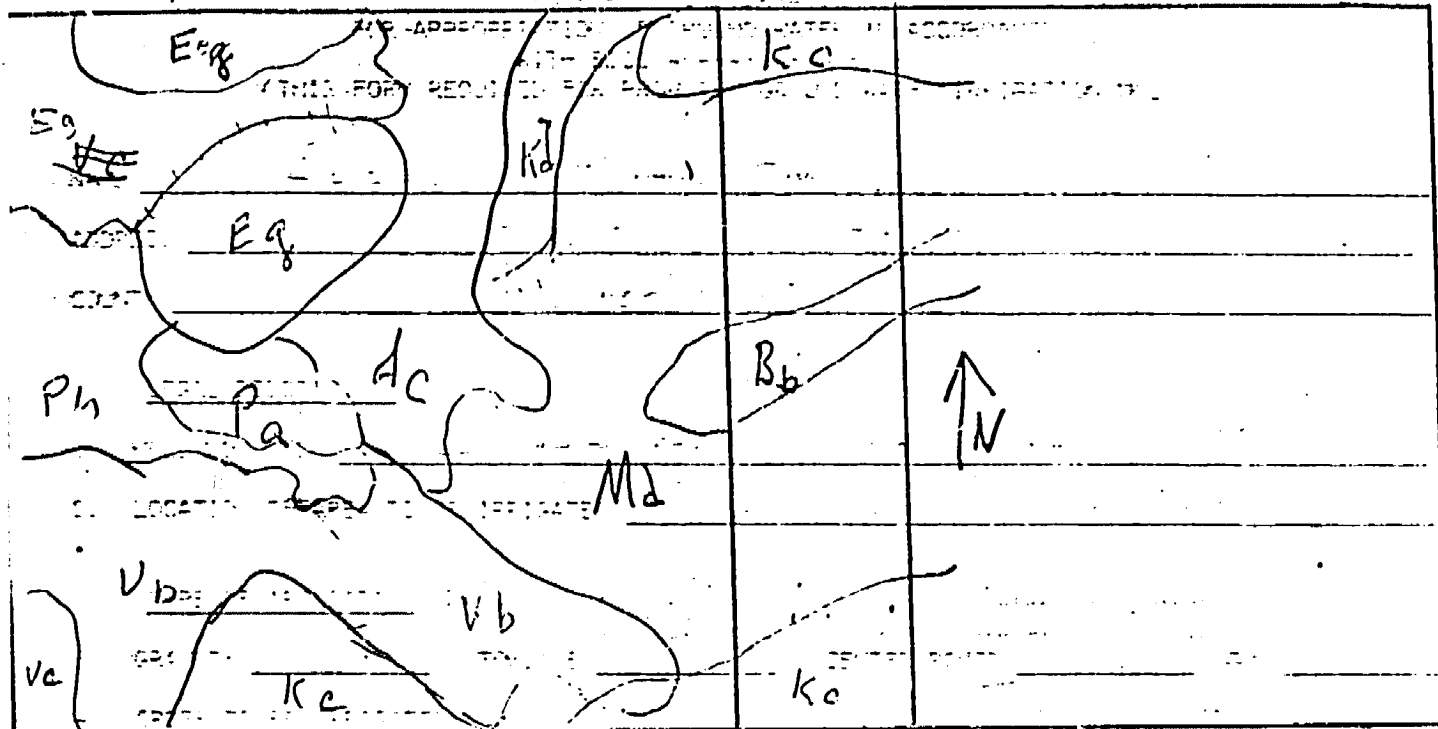
John S. Williams
(TITLE OR SEAL)

Albert J. Hoff
APPROVED/NOTARIZED

(SOILS INFORMATION ON REVERSE SIDE)

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

NW 1/4 Sec 34 - 111-5-1



NARRATIVE

- Ac - Atholwood silty clay loam
- Ee - Estelline silt loam gently sloping
- Vc - Vincetown gently sloping
- Ph - Poinsett-Buse-Breece Saw
- Vb - Vienna loam sloping
- Kc - Kranzburg loam
- Mb - Mobley silt loam
- Bb - Brookings silty clay loam
- Kd - Kranzburg silt loam, gently sloping
- Pa - Parnell silty clay loam, nearly level
- Vb - Vienna loam, gently sloping
- Ee - Estelline silt, nearly level

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

Submitted by: Eugene Kleinjan
Address: Rt. 2
Bruce, SD 57220

Date Rec'd: May 27, 1977
Sample No. 77-245
Identification Well-80
Nat. Sec. 31, T 11N, R 51W

WATER ANALYSIS

Calcium (Ca)	240	ppm*	12.00	me/l**
Magnesium (Mg)	82	ppm	6.69	me/l
Sodium (Na)	23	ppm	1.00	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	700	ppm	14.56	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.18	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	1299	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.33			
Sodium	5.02	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	6.74			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 19.90 me/l
Total anions 19.06 me/l

By: Shirley Kitten

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. 77-245

Amount Enclosed \$

Signed

June 6, 1977

Mr. Eugene Kleinjan
Bruce, South Dakota 57220

Dear Mr. Kleinjan:

Your water sample (Lab. No. 77-845) 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.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

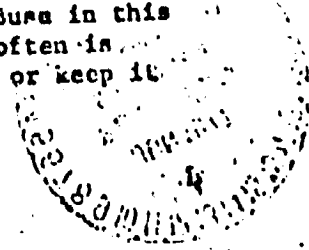
LOP:ckb

Enclosures

cc: State Conservation Commission

D. Pahl, Extension Service

→ P. S. The Poinsett-Buse soils, although droughty are not apt to be profitable to irrigate unless kept in grass or hay crops. Furthermore, erosion will be serious. I suggest they be kept in alfalfa-grass. Also, the Parnell soil area, just east of the Poinsett-Buse in this quarter, is not adapted to cultivated agriculture. It often is flooded or water-logged, I suggest it not be irrigated, or keep it in reed canarygrass.



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4036-3

- (1) WHEREAS, On the 1st day of June A. D. 19 77
Eugene Kleinjan
 made Water Right Application No. 4036-3 for a permit to use 2.35 cubic feet per second of the waters
 of groundwater (two wells)
 County of Brookings, State of South Dakota, for irrigation
purposes; and
- (2) WHEREAS, On the 25th day of January A. D. 19 78
 Permit No. 4036-3, with a date of priority of September 14, 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 25th day of January A. D. 19 85 and for the
 application to beneficial use of said water on or before the 25th day of January 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 1.22 cubic feet
 per second of water for beneficial use and,

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

to irrigate a 136 acre circle in the NW $\frac{1}{4}$, Section 34-T111N-R51W

(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 Eugene Kleinian

RT 2, Box 82 of Pruce, SD 57220
the holder and owner of said permit No. 4036-3 a water right, dating from September 14, 1977

to use of 1.22 cubic feet per second of the waters
of groundwater (two wells)

in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well #1 - N. 135° East, 1366 ft; Well #2 -
N. 119° E, 1980 ft - Both from the NW corner, Section 34-T111N-R51W

~~and for the purpose of~~ for irrigating a 136 acre circle in the NW 1/4 Section
34-T111N-R51W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4036-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 4036-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

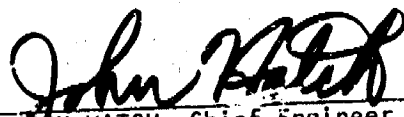
This is to Certify, That Eugene Kleinjan

the holder of
Permit No. 4036-3, issued upon Application No. 4036-3, bearing date of priority of September 14,
1977 authorizing the diversion of 2.85 cu. ft. per second of the waters of
groundwater (two wells) County of Brookings, State of South Dakota at XX Well
#1-N, 135° East, 1866 ft; Well #2-N, 119° E, 1980 ft.-Both from the
NW corner, Section 34-T111N-R51W

for irrigation

purposes, has S complied with the provisions of the law of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.22 cu. ft. per second of water.
January 23, 1981

Date


JOAN HATCH, Chief Engineer
Water Rights Division

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
June 28, 1977

post office address is Bruce, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, ~~46-5-28~~, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, ~~46-6-14~~ and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, ~~46-6-14~~

Centers of the NW $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$

NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 34, T11N, R61W

WATER RIGHTS COMMISSION

cc: Eugene Kleinjan, Rt. 2, Bruce, S.D. 57220

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, Thomas C. Staudt hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Volcan Tribune

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

Volcan town of Volcan

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

July 7, 1977

July 14, 1977

Eugene Kleinjan
(Signature)

Publication
(Title)

July 8, 1977
(Date Signed)

NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE WATER

Notice is hereby given that Eugene Kleinjan, whose post office address is Brice, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-4; 46-6-3; 46-6-5; 46-6-8.1; 46-6-10; 46-6-14 and Commission Rules ARSD 51:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.85 cubic feet of water per second of time from ground water through the Eugene Kleinjan Project #1, the points of diversion of which are to be located in the centers of the NW $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, Twp. 111N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 34, T111N, R51W.

This application No. 4038-3 will be considered by the Water Rights Commission at the Staudt Inn, Brookings, S.D., upon the 27th day of July, 1977, at 10 a.m. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission of intention to appear by depositing a copy of the notice with the Commission at the following address: Richard Price, 832 358 Downtown Laundry, c/o Schomwill, Brookings, S.D.





No. 4036-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

October 17, 1977

Eugene Kleinjan
R.R. 2
Bruce, South Dakota 57220

Dear Mr. Kleinjan:

The Water Rights Commission deferred action on your Application

No. 4036-3 at the October 6-7, 1977

Commission meeting, pending investigation by the Commission Staff.

If you have any questions, feel free to contact this Office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw



4036-3
BROOKINGS COUNTY DEFERRED

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

January 16, 1978

TO: Holders of Deferred Applications in Brookings County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Brookings County Water Right Applications at 2:00 P.M., January 25, 1978 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These Applications were deferred by the Water Rights Commission during 1977, pending Staff Investigation.

After reconsideration of the deferred Applications the Commission can approve, defer, or deny all or part of any of these Applications.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BFJ/bw

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7767

PIERRE,

NOVEMBER 3

1980

RECEIVED OF Eugene Kleinjan, PR #2, Bruce, SD 57220

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 4036-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4036-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 4036-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by EUGENE KLEINJAN of BRUCE holder of Permit No. 4036-3, bearing date of priority of SEPTEMBER 14, 1977 authorizing the diversion of 2.85 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in BROOKINGS 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:

WELL #1 80' DEEP WITH 16" STEEL CASING 20' CONTINUOUS SLOT
WELL #2 80' DEEP WITH 16" STEEL CASING 20' CONTINUOUS SLOT
BOTH WELLS HAVE WESTERN LAND ROLLER 6" PUMPS TYPE 6M 710 CM $\frac{3}{8}$ BH.
WELL #1 25HP US ELECTRIC MOTOR TYPE RU
WELL #2 30HP US ELECTRIC MOTOR TYPE RU

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

50' 10" ALUMINUM LINE FROM WELL #1 TO PILOT
100' 10" BURIED PLASTIC LINE FROM WELL #2 TO PILOT

C. Works used to apply water to beneficial use.

8' TOWER ELECTROGATOR CENTER PILOT SYSTEM - MODEL 680
SERIAL # 578C5176 1292' LONG WITH #200 END GUN

The system is in the following condition: GOOD

The point of diversion is located WELL #1 - N135°E, 1866' WELL #2 - N119°E, 1980'
BOTH FROM THE NW CORNER, SECTION 34, T11N, R51W

The works are capable of diverting and conveying to the place of use 1.22 (550 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 136 ACRE CIRCLE IN THE NW⁴
SECTION 34, T11N, R51W

comprising a total of 136 acres of land.

Date OCTOBER 14 1980
[Signature]
(Signature)

 **Department of
Water & Natural Resources**

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

February 8, 1989

EUGENE KLEINJAN
RR 2 BOX 302
BRUCE, SD 57220

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4036-3. 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 hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 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. Amend Permit No(s). 4036-3 to require the Irrigation Water Use Questionnaire to be submitted each 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, your name will be deleted from the agenda for the hearings.

Very truly yours,



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



 **Department of
Water & Natural Resources**

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

February 23, 1989

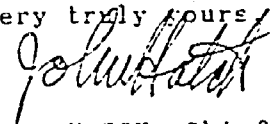
4036-3

Eugene Kleinjan
RR #2 Box 302
Bruce, SD 57220

Dear Mr. Kleinjan:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 4036-3. 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 Gerny McMath, at (605) 773-3352.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division





4-3 April 40363

5-27-77
Certified Correct
John Swearingen