

Water Right Number 4374-3

1. Considered MARCH 28, 1979
2. Name of Applicant RALPH JOHNSON
3. Post Office Address FRANKFORT, SD. 14-117-62
4. Amount of water claimed NO ADD'L (2.2)
5. Source of water supply 65' & 60' WELL
6. Water to be used for IRRIGATION

Acres to be irrigated NO ADD'L (320)

7. Water to be diverted and used in SPINK County
about SE, 6 Miles NORTH of FRANKFORT

8. Proof of Publication Received 3-12-79

Not received _____

9. Application Approved 3-28-79

Subject to 100000' to 2'

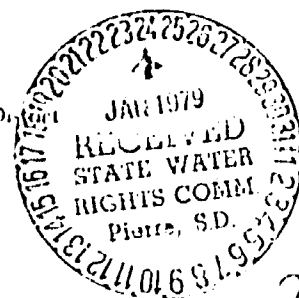
Not approved _____

Action deferred _____

10. Remarks:

*Change point of diversion
and add new point of
diversion - Permit # 3055-3
(later cancelled)*

No. 4374-3
 Map No. 2379-3 Water Division No. 3 JAMES RIVER
 (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: Ralph Johnson
 Postoffice address: RR #1, Frankfort, State South Dakota 57440
 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: Ralph Johnson
 4. Amount of water claimed (cubic feet per second) no additional water 2.2
 5. Source of water supply: two wells
 6. Location of point of diversion: Well #1: 2125 feet east & 1290 feet South of the NW corner
of Section 14 T 117N R62W. Well #2: 1750 feet east and 750 feet south of the
NW corner of Section 14, T117N R62W County Spink
 7. Annual period or periods during which water is to be used: May 1 to November 1
 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: 320 (no increase)

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 $\frac{1}{4}$ NW $\frac{1}{4}$ 14 T117N R62W	40	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 14 T117N R62W	40
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 14 T117N R62W	40	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 14 T117N R62W	40
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 14 T117N R62W	40	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 14 T117N R62W	40
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 14 T117N R62W	40	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14 T117N R62W	40

Attach sheet if more space is needed

10. Time required to complete construction of water supply system: Completed years. Additional time required to complete application of water to the proposed beneficial use: Completed years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication: _____
 12. Principal Features of the Proposed Water Supply System.

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

motors and pumps

NOTE: This application is for a new point of diversion and an additional well for Permit No. 3055-3

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

underground pipes

C. Works proposed to apply water to beneficial use:

center pivot

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
 County of Hughes) ss.

I, Ralph Johnson 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 Ralph JohnsonSubscribed and sworn to before me this 24th day of January 19 79

Betty Westlund
 Notary Public (or other qualified officer)

Water Rights Specialist I.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4374-3
RALPH JOHNSON RR# 1, FRANKFORT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57440 With the following modifications:
 (State)

The irrigation wells 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.

The applicable portions of Permit No. 3055-3 have been incorporated into this Permit No. 4374-3 and Permit No. 3055-3 has been placed in a cancelled status.

Priority for this Permit No. 4374-3 is established by Permit No. 3055-3.

Date of first receipt of application January 24, 19 79
 Date of return to applicant for correction, amendments or changes required , 19
 Date of receipt of corrected application , 19
 Approved March 28, 19 79, Recorded in Book 20 Page 295

WATER RIGHT PERMIT NO. 4374-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4374-3 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 76
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ , 19
3. The whole of said work is ~~to be~~ completed ~~on or before~~ , 19
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 2 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 This Date, 19 79; said water to be used during the following described annual period: May 1st to November 1st

Witness my hand this 11th day of April, 19 79

WATER RIGHTS COMMISSION

By: John Hatch
 Chief Engineer, Executive Officer JOHN HATCH

Certificate of Construction Issued May 31, 19 80

Water License Issued May 31, 19 80

Ralph Johnson		N.W. 1/4-14-117-62-Spink		2/16/77	18	Bernard Schlieder
JOB NAME		LOCATION Co.		DATE	RIG NO.	FOREMAN
31	DEPTH	TIME	REMARKS			
	0-10	1:30	Top soil, yellow clay and brown clay and sand			
	10-20	2:00	15-20 Brown sand and gravel			
	20-30	3:40	20-23 Brown gravel			
			23-30 Coal and medium sand			
	30-40	8:50	Coal and medium sand			
	40-50	9:05	Coal and fine medium sand			
	50-60	9:15	Coal streaks and fine medium sand water loss			
	60-67	9:30	60-65 Fine medium coarse sand			
			65-67 Shale			
		TD 65				
			1 - 15' - 12" Stainless Steel Screen- 50 Slot			
			1 - 20' - 12" PVC Plastic Screen			
			30' - 12" Solid Plastic			

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WELL REPORT

HURON
DRILLING CO.
Huron, S. D.Ralph Johnson
OWNERSpink County
N.W. 1/4-14-117-62
DESCRIPTIONFebruary 21, 1977
DATE

CASING LOG

Depth 65 ft.
 Flows gpm 30 ft. 12" PVC Plastic pipe to 30 ft.
 Pumps gpm 20 ft. 12" PVC Plastic pipe to 50 ft.
 Head ft. 15 ft. 12" Stainless pipe to 65 ft.
 25 Ft. Screen @ bottom Steel Screen 50 Slot
 Perforations ft. pipe to ft.

REMARKS

Pressure
 2 days
 Drilling Time
 Rig No. 18
 Bernard Schlieder
 Foreman
 1 - 15' - 12" Stainless Steel Screen-50 Slot
 1 - 20' - 12" PVC Plastic Screen-50 Slot

DM

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

D. Well Information or Estimates

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

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

See Log

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

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

Signature of Applicant

Permit No. 4374-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ralph Johnson

_____ the holder _____ of
Permit No. 4374-3, issued upon Application No. 4374-3, bearing date of priority of _____
September 14, 1976 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
ground water (two wells) County of Spink, State of South Dakota
Well #1-2125'E and 1290'S; Well #2-1750'E and 750'S, both from the NW corner
Section 14, T117N, R62W
_____ 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 1.78 cu. ft. per second of water.

Date May 21, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4374-3

(1) WHEREAS, On the 24th day of January, A. D. 19 79
Ralph Johnson

made Water Right Application No. 4374-3 for a permit to use 2.2 cubic feet per second of the waters of ground water (two wells)

County of Spink, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 28th day of March, A. D. 19 79

Permit No. 4374-3, with a date of priority of September 14, 1976

was issued to said applicant recognizing for the diversion of said water, and ~~xxxxxxx~~ the completion of construction of the water supply system therein describe ~~xxxxxxx~~ ~~xxxxx~~ ~~xxxxxx~~ and for the application to beneficial use of said water ~~xxxxxx~~ ~~xxxxx~~ ~~xxxxxxx~~

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 1.78 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 the following lands all in Section 14, T117N, R62W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 "

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 "

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 "

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "

TOTAL 264 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 Ralph Johnson

of Frankfort, SD
the holder _____ and owner _____ of said permit No. 4374-3 a water right, dating from September 14, 1976
to use of 1.78 cubic feet per second of the waters
of ground water (two wells)

In the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted ~~xx~~ Well #1-2125'E and 1290'S; Well #2-1750'E and 750'S
both from the NW corner, Section 14, T117N, R62W

and conducted to and upon portions of land in Section 14, T117N, R62W, more fully
described on the face of this License

for the purpose of Irrigation

Subject to any limitations stated in Water Right Permit No. 4374-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of May A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

December 22, 1978

Ralph Johnson
RR #1
Frankfort SD 57440

Dear Mr. Johnson:

On October 10, 1978 I inspected your Water Rights Permits No. 3055-3 and 4042-3. On both permits you have two wells whereas the permits call for one well. Also the wells have been constructed some distance from the location as shown on the permits. I have discussed the matter with members of the Water Rights Staff and they say you will need to make a new application for each permit in order to comply with the South Dakota Water Laws.

I am enclosing two completed Form 2 "Application for Permit" for you to check over and make any necessary corrections, sign, notarize each form and return to this office with a check for \$300.00 to cover the filing fees which are \$150.00 for each permit. We can then proceed to process your permits. We also need the well log sheets for the wells and the completed Forms 2A for the wells.

The new permits will retain the same priority dates as on Permits 3055-3 and 4042-3. These permits will then be cancelled as all of the pertinent information will be on the new permits.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

LeRoy J. Hernaugh
Water Resources Engineer

LJH:fjw

enclosure

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6735

PIERRE, January 24, 1979

RECEIVED OF Ralph Johnson, RR #1, Frankfort SD 57440

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

Fee for Application for Permit to Appropriate Water No. <u>4374-3</u> (examination, processing, recording and filing) -----	150	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No. -----		
Fee for Inspecting Beneficial Use, and Issuing Water License No. -----		
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	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH k.j.w

No. 4374-3

Publish first publication, on or before March 9, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 21, 1979

Notice is hereby given that Ralph Johnson whose post office address is Frankfort, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-12, 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no cubic feet of water per second of time from groundwater add'l to change the point of diversion and add an (two wells) through the Johnson #1 additional xxx point(s) of diversion of which xx(are) to be located in the NEL, NW1/4 on an existing permit

of Section 14, Twp. 117N, Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N4, Section 14 - T117N - R62W

This Application No. 4374-3 will be considered by the Water Rights Commission at the Community Room in the City Hall, 222 East Dakota; Pierre, SD upon the 28th day of March

at 10 AM. 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 in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: Ralph Johnson
RR #1
Frankfort, SD 57440

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER

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

No. 4374-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Roberta A. Tothrock hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Redfield 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 Redfield
County of Spink and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

MARCH 1, 1979

MARCH 8, 1979

Roberta A. Tothrock
(Signature)

Owner
(Title)

3/8/79
(Date Signed)



No. 74
No. 4374-3
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
February 21, 1979
Notice is hereby given that
Ralph Johnson whose post office
address is Frankfort, South
Dakota, has made an application
in accordance with the provisions
of SDCL 46-1-1 thru 46-1-14;
46-2-1 thru 46-2-11; 46-2-13; 46-5-1
thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41;
46-5-3; 46-6-3; 46-6-5; 46-6-7;
46-6-10; 46-6-14; and a Com-
mission Rule ARSD 52:01:01:01
thru 52:01:01:13, for a permit to
appropriate for beneficial use no
add'l cubic feet of water per
second of time from groundwater
(two wells) through the Johnson
No. 117 to change the point of
diversion and add an additional
point of diversion on an existing
permit of which are to be located
in the NE 1/4 NW 1/4 of Section 14
Twp. 117N, Range 16E, Y. 9. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: Section 14, T117N, R62W
This Application No. 4374-3 will
be considered by the Water
Rights Commission at the
Community Room in the City
Hall, 222 East Dakota, Pierre, SD
upon the 28th day of March at 10
A. M. The Commission is autho-
rized to make a determination on
this application at the hearing.
All interested persons may ap-
pear 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 51-26 may notify the
Commission in writing prior to
the hearing or orally at the
hearing.

This hearing is an adversary
proceeding. Any person has the
right to be present or to be repre-
sented by a lawyer. These and
other due process rights will be
forfeited if they are not exercised
at the hearing. Decisions of the
Commission may be appealed to
the Courts as provided by law.

WATER RIGHTS
COMMISSION
BETTY WESTLUND
Water Rights
Specialist

cc: Ralph Johnson, RR No. 1,
Frankfort, SD 57440
(March 1, 8)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7426

March 31 80

PIERRE, 10

RECEIVED OF Ralph Johnson, RR #1, Frankfort SD 57440

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. <u>4374-3</u>)		50 00
Fee for Inspecting Beneficial Use, and Issuing Water License No. <u>4374-3</u>)		
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 John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

Permit No. 4374-3Water Division 3 James 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 Ralph Johnson
 of RR #1, Frankfort, South Dakota 57440 holder
 of Permit No. 4374-3, bearing date of priority of September 14, 1976
 authorizing the diversion of 2.2 cu. ft. per second of the waters of Two Wells
 for Irrigation purposes, in S.D.K. 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: 10 H.P. Submersible Pump. pumping 300 gpm.
 Well #2: 25 H.P. Submersible Pump. pumping 500 gpm.
 Booster Pump: Motor - Toshiba; Model B060VGG 3K3, 60 HP, 3520 RPM.
 Pump: Aurora. Centrifugal, No H77-5673, 41-BF, 3x4x10B.

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

650 ft 6" PVC Pipe
 2640 ft 8" PVC Pipe.

C. Works used to apply water to beneficial use.

Lockwood Electric Drive Center Pivot - Model 2100.
 Moved between NE $\frac{1}{4}$ - NW $\frac{1}{4}$ of Sec. 14.

The system is in the following condition: Good

The point of diversion is located Well #1 = 2125' E and 1290' South of the NW Cor Sec. 14,
Well #2 = 1750' E and 750' S of the NW Cor. Sec. 14, T117N R62W

The works are capable of diverting and conveying to the place of use 1.78
 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: All in Sec. 14, T117N R62W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac.
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac. NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 Ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 Ac.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 Ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 Ac.

comprising a total of 264 acres of land.

Well data.

Well #1

Depth 67 ft.

Static 18 ft.

Pumping 300 gpm

Capacity 500 gpm

Well #2

Depth 68 ft

Static 18 ft

Pumping 500 gpm

Capacity 500 gpm

License for 1.78 cfs

Date October 18, 1978
Leroy J. Merragh
 (Signature)

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

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

March 23, 1987

RALPH JOHNSON
RR 1 BOX 29
FRANKFORT, SD 57440

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4374-3, 4375-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of 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 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 4374-3, 4375-3 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.



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

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

South Dakota
Department of
Water & Natural Resources

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

April 13, 1987

4374-3
4375-3

Ralph Johnson
RR #1 Box 29
Frankfort, SD 57440

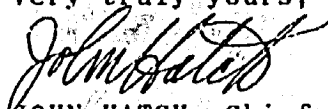
Dear Mr. Johnson:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 4374-3 and 4375-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

South Dakota
Department of
Water & Natural Resources

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

January 20, 1988

RALPH JOHNSON
RR #1 BOX 29
FRANKFORT, SD 57440

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

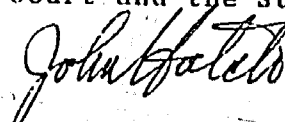
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4374-3 4375-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 4374-3, 4375-3 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.


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

 **Department of
Water & Natural Resources**

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

February 5, 1988

4374-3
4375-3

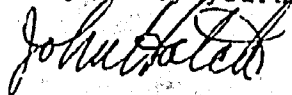
Ralph Johnson
RR 1, Box 29
Frankfort SD 57440

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 4374-3 & 4375-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



February 7, 1995

RALPH JOHNSON
RR #1 BOX 29
FRANKFORT SD 57440 9752

4374-3

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

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit Nos. 4374-3 & 4375-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S 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. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 4374-3 & 4375-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 questionnaires are received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 4374-3

RALPH JOHNSEN
RR #1 BOX 29
FRANKFORT, SD 57440 9752

4a. Article Number P 157-566-337

4b. Service Type

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

7. Date of Delivery

2-8-95

5. Signature (Addressee)

Ralph Johnsen

6. Signature (Agent)

J. A. Robinson

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

Thank you for using Return Receipt Service.

4374-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 501-3181

February 20, 1995

4374-3

4375-3

Ralph Johnsen
RR #1 Box 29
Frankfort, SD 57440-9752

Dear Mr. Johnsen:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaires.

The questionnaires were 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
Environmental Scientist
Water Rights Division
(605) 773-3352

4374-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: RALPH JOHNSEN, RR #1 BOX 29, FRANKFORT, SD 57440 9752

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3, 4375-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3, 4375-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RALPH JOHNSEN
RR #1 BOX 29
FRANKFORT SD 57440-9752

4a. Article Number

2 348 318 861

4b. Service Type

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

7. Date of Delivery

2-3-96

6. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

Ralph C Johnson

6. Signature: (Addressee or Agent)

X Ralph C Johnson

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



4374-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1996

4374-3
4375-3

Ralph Johnsen
RR 1 Box 29
Frankfort, SD 57440-9752

Dear Mr. Johnsen:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 5th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



4374-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 18, 1997

4374-3

David & Wesley Swanson
RR 1 Box 7A
Frankfort, SD 57440

Dear Sirs:

I am contacting you in regard to ownership of land described in Water Right No. 4374-3. The water right, currently listed in the name of Ralph Johnsen, authorizes irrigation of 264 acres in the N½ Section 14, T117N, R62W. Mr. Johnsen notified our office that he sold this land to you.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with the water right. Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Also enclosed is a 1997 irrigation questionnaire. Mr. Johnsen indicated you would have had possession of the land during this past crop season and may have irrigated. Please complete the questionnaire and return it to our office along with the transfer materials.

If you have any questions, or need assistance in completing the transfer form or the questionnaire, please get in touch with me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

encl.

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 4374-3

Date: January 29, 1998

I/We request that Water Right No. 4374-3

formerly owned by: Ralph Johnsen

be transferred to: (name & address) David or Wesley Swanson

RR 1, Box 7A Frankfort, SD 57440

Telephone No. (605) 472-2573

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

264 acres - N½ Section 14, T17N, R62W

I/We understand that the validity of Water Right No. 4374-3 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 with the Water Rights Program, 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)

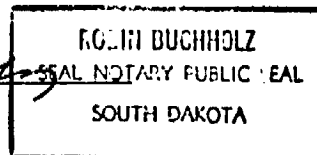
County of Spink)

I/We David Swanson or Wesley Swanson 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.

David Swanson Wesley Swanson
(Signed)

Subscribed and sworn to before me this 29th day of January, 19 98.

Robin Buchholz
(Notary Public)



My commission expires 3-8-00

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 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

Water Rights Program

South Dakota Department of Environment and Natural Resources

415628

RECEIVED OF DAvid or Wesley Swanson, RR 1, Box 7A, Frankfort, SD 57440 Pierre, February 2, 19 98
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 N'o. _____ 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. 4374-3		
Fee for Filing Extension Request _____		2 50
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By _____
Chief Engineer

John H. Hatcher (Signature)

4374-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3131

February 17, 1998

No. 4374-3

David or Wesley Swanson
RR 1, Box 7A
Frankfort, SD 57440

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 4374-3.

Our records now show you as the owner of Water Right No. 4374-3.

Sincerely,

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

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

enclosure



4374-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: DAVID OR WESLEY SWANSON, RR 1 BOX 7A, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

4374-3

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): ☐ Addressee's Address ☐ Restricted Delivery Consult postmaster for fee.	
		4a. Article Number P 378 080 700	
3. Article Addressed to: DAVID OR WESLEY SWANSON RR 1 BOX 7A FRANKFORT SD 57440		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
5. Received By: (Print Name)		7. Date of Delivery 1-23-99	
6. Signature: (Addressee or Agent) X <i>David Swanson</i>		8. Addressee's Address (Only if requested and fee is paid)	
Is your RETURN ADDRESS completed on the reverse side?		PS Form 3811, December 1994 102575-93-11-0229 Domestic Return Receipt	

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 26, 1999

4374-3

David or Wesley Swanson
RR 1 Box 7A
Frankfort, SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit No. 4374-3.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

4374-3

SEND TO: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) B. Date of Delivery David Swanson 1-22-01	
1. Article Addressed to: DAVID OR WESLEY SWANSON RR 1 BOX 7A FRANKFORT SD 57440		C. Signature x David Swanson ☐ Agent ☐ Addressee	
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label) 7000 0600 0026 9814 2928			

PS Form 3811, July 1999

Domestic Return Receipt

102595-03 M-0352



43743
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/den

January 19, 2001

NOTICE

TO: DAVID OR WESLEY SWANSON, RR 1 BOX 7A, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 30, 2001

4374-3

David or Wesley Swanson
RR 1 Box 7A
Frankfort, SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 4374-3.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

4374-3

RALPH JOHNSON
RR #1
FRANKFORT
SD 57440

SP/JK

This is the Water Management Board data
sheet for recording 1980 GROUNDWATER
source irrigation estimates.

November 1980

For Dept. use only

G

Please fill out and return at once.
No. Acres irrigated with Groundwater 136
If you did not irrigate during 1980-check this box ☐ No system ☐

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	<u>✓</u>	_____ kwh
2. Gravity	_____	_____ gal
3. Gasoline	_____	_____ cf
4. Nat. Gas pipeline	_____	_____ gal
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use	
				Crop	Acres
April				<u>corn</u>	<u>135</u>
May	<u>3 days</u>	<u>24</u>	<u>800</u>		
June	<u>6 day</u>	<u>34</u>	<u>800</u>		
July	<u>10 days</u>	<u>34</u>	<u>800</u>		
August	<u>July</u>	<u>17 hr</u>	<u>Hailed out</u>		
Sept.					
Oct.					
Other Month					

Season Static Water Level: beginning 16' end 20'

Comments:

Complete and return to: WATER MANAGEMENT BOARD

Water Rights Division
Joe Foss Building
Pierre, SD 57501

Owner or address change, if any:

Please complete front and back.

The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____

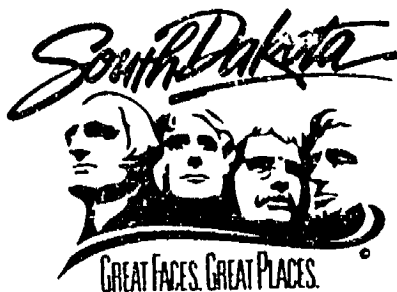
1978

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline _____ gallons
diesel _____ gallons
- What are your present plans for acres under irrigation for 1981?
 _____ an increase in acres
 _____ irrigate same acres
 _____ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
 _____ yes
 _____ no
 B. If no, were you able to buy from other sources?
 _____ yes
 _____ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-

10% yes _____	20% yes _____
no _____	no _____
15% yes _____	over 20% yes _____
no _____	no _____
- At what price for fuel would you cut back on irrigation activities? _____
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
 Dry summer: _____ gallons.
 Wet summer: _____ gallons.

4374-3



4374-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2002

NOTICE

TO: DAVID OR WESLEY SWANSON, RR 1 BOX 7A, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

4374-3

SENDER COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
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1. Article Addressed to: DAVID OR WESLEY SWANSON RR 1 BOX 7A FRANKFORT SD 57440		C. Signature <u>X David Swanson</u> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ G.O.D. (Priority, SD)	
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www.state.sd.us/denr

February 11, 2002

4374-3

David or Wesley Swanson
39840 168th
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 4374-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



4374-3
**DEPARTMENT of ENVIRONMENT
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January 14, 2004

NOTICE

TO: DAVID OR WESLEY SWANSON, 39840 168th, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



4374-3

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You entered 2301 3460 0000 8515 8923

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8923

DAVID OR WESLEY SWANSON
39840 168th
FRANKFORT SD 57440

Waiver of Signature ☐ YES ☐ NO

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4374-3

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February 4, 2004

4374-3

David or Wesley Swanson
39840 168th St
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 4374-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



4374-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 20, 2005

NOTICE

TO: DAVID OR WESLEY SWANSON, 39840 168th ST, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 4374-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No. 4374-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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.



4374-3

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DAVID OR WESLEY SWANSON
39840 168th ST
FRANKFORT SD 57440

Waiver of Signature ☐ YES ☐ NO

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February 14, 2005

4374-3

David or Wesley Swanson
39840 168th St
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 4374-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



4374-3
**DEPARTMENT of ENVIRONMENT
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January 24, 2006

NOTICE

TO: DAVID OR WESLEY SWANSON, 39840 168TH ST, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3 & 4375-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 & 4375-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



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February 15, 2006

4374-3
4375-3

David C or Wesley Swanson
39840 168th St
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 4374-3 and 4375-3.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



43743

DEPARTMENT of ENVIRONMENT
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January 18, 2008

NOTICE

TO: DAVID OR WESLEY SWANSON, 39840 168TH ST, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3 & 4375-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 & 4375-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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.



4374-3

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January 25, 2008

4374-3

4375-3

David C or Wesley Swanson
39840 168th St
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 4374-3 and 4375-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



4374-3
DEPARTMENT of ENVIRONMENT
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January 18, 2013

NOTICE

TO: DAVID OR WESLEY SWANSON, 39840 168TH ST, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3 & 4375-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 & 4375-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) 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: <http://denr.sd.gov/iq.aspx>

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.

4374-3



**DEPARTMENT of ENVIRONMENT
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February 21, 2013

4374-3
4375-3

David or Wesley Swanson
39840 168th St
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 4374-3 and 4375-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



4374-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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January 24, 2014

NOTICE

TO: DAVID OR WESLEY SWANSON, 39840 168TH ST, FRANKFORT, SD 57440

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 4374-3 & 4375-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4374-3 & 4375-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) 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: <http://denr.sd.gov/iq.aspx>

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.



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February 19, 2014

4374-3
4375-3

David or Wesley Swanson
39840 168th St
Frankfort SD 57440

Dear Sirs:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right Nos. 4374-3 and 4375-3. 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
(605) 773-3352
email: genny.mcmath@state.sd.us