

Considered: _____

WATER PERMIT NO. 4400A-3

MAP No. Same

Name of Applicant Huron Colony

Post Office Address Rt. 2 Box 185 Huron

Amount of Water Claimed no add'l Total Acres covered by #4400-3

Source of Water Supply Groundwater - change location of well

Water to be used for IRR County Beadle

About 14 miles N of Huron

PROOF OF PUBLICATION: Received April 21, 1986 Not Received _____

APPLICATION: Approved May 14, 1986 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received 1-7-86 Fee \$5000 Remarks Form 2

3-9-79 was not notarized returned 1-17-86

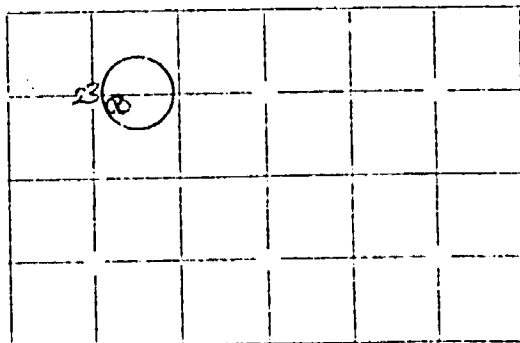
Corrected Application Received _____ Period of Annual Use April 1 to Nov. 1

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

Diversion Point NW 1 SE 4 sec 23 T113N-R62W

Land to be Irrigated covered by #4400-3



Well Log: Driller Riverside Drilling Licensed YES X NO _____

Depth of Well 80 ft. REMARKS _____

Type of Map Aerial Photo PREPARED BY Ron Duvall Reviewed and the Number

assigned on 1-17-86 By R.C. Larson

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 4400A-3 Hydrologic Unit 16160006
Map No. same Basin James River
Newspaper Huron Daily Plainsmen 49 3rd St. S.E.

Application For Permit To Appropriate Water Within The State of South Dakota

Type of Application: Check one or more of the following:

New ☒ Vested Right ☐ Future Use ☐

☒ Application to amend Permit No. 4400-3 with old priority date retained

☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant Huron Colony Phone No. 357-5677, 353-1305

Post Office Address Rt 2, Box 185 Huron State SD 57350
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) no add'l Total acres irrigated covered by Permit No. 4400-3

3. Source of Water supply groundwater

4. Location of point of diversion well: 422 ft E and 36 ft S from the center of
Section 23, T113N, R62W

County Beadle

5. Counties where water will be used Beadle

6. Annual period during which water is to be used April 1 to November 1

7. 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.
acreage is same as covered	
by Permit No. 4400-3	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This permit application proposes to amend Permit No. 4400-3 to change the location of the diversion point. No increase will result in diversion rate or acreage due to this application.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Beadle

I, SAM J. WALDNER the applicant, certify that I have read the foregoing application, 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 Sam J. Waldner

Subscribed and sworn to before me this 1-11 day of 1986

Marjorie B. Borne
Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 4400A-3

Huron Colony Huron
(Applicant) (Post Office Address)
South Dakota 57350 With the following qualifications.
(State) (Zip Code)

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

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application January 17, 1986.

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

Date of receipt of corrected application _____, 19____. Approved May 14, 1986.

The Water Management Board hereby approves this Water Permit No. 4400A-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is see Permit No. 4400-3 March 9, 1979.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed on or before _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed no add'l 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. For 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 Apr 1 - Nov 1, 1986; said water to be used during the following described annual period:

WATER MANAGEMENT BOARD
By: [Signature] [Signature]
Division of W Rights
Dept. of Wat and Natural Resources
JUN 20 86, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 28" Depth 80'
- b) Casing Type STAINLESS STEEL Diameter 16' Thickness 12 GAGE
- c) Screen Type STAINLESS STEEL Diameter 16' Thickness 12 GAGE
- d) Gravel Pack Thickness 1' ROLLN DIES ENG Length of Gravel Pack 14'
- e) Depth to Top of Water Bearing Material 58" - FROM BOTTOM TO TOP
- f) Depth of Water (ground surface to water level) 28"
- g) Distance to nearest existing domestic well:
- On applicants property NONE On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions NONE Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
 Pipe diameter _____

Spillway width _____

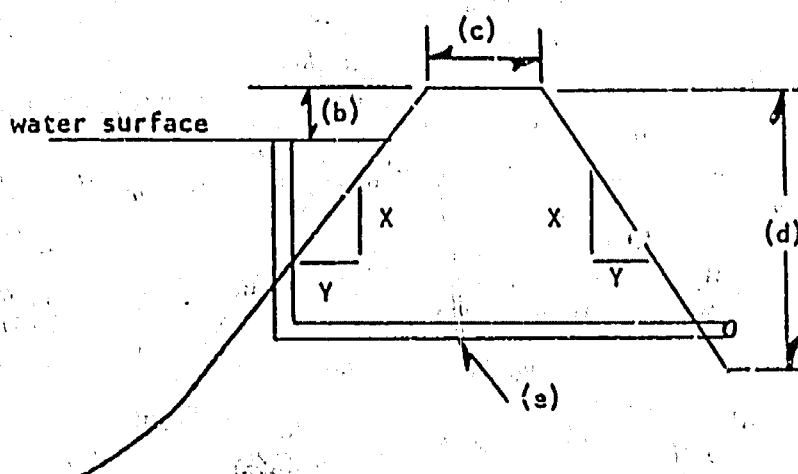
f) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Sam J. [Signature]
 Signature of Applicant



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

June 20, 1986

Sam Waldner
Huron Colony
Rt 2, Box 185
Huron SD 57050

Dear Mr. Waldner:

Enclosed is your Water Permit No. 4400A-3 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH: kcs

enclosure

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4400A-3

(1) Huron Colony of RR 2, Box 185, Huron, SD 57350 made Application No. 4400A-3, January 17, 1986 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one well), Beadle County, South Dakota for irrigation purposes. Permit No. 4400A-3 with a priority date of March 9, 1979 was approved May 14, 1986 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 4400A-3 authorizes a change in location of the diversion point described under Permit No. 4400-3. No. 4400A-3 did not allow for an increase in the diversion rate or acreage irrigated.

The applicable portions of Water Permit No. 4400-3 are incorporated into this Water License No. 4400A-3. A March 9, 1979 priority date is retained.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.45 cubic feet of water per second for beneficial use. The location of the diversion point is: 422 ft E and 36 ft S of the center of Section 23, T113N, R62W (NW 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T113N, R62W Section 23	SW 1/4 NE 1/4	6 Acres
	SE 1/4 NE 1/4	32 Acres
	NW 1/4 SE 1/4	32 Acres
	NE 1/4 SE 1/4	32 Acres
	Total-----	102 Acres

(4) Pursuant to Section 46-5-30.1 Huron Colony of RR 2, Box 185, Huron, SD 57350 the holder(s) and/or owner(s) of Incorporated No. 4400A-3 is issued a license to appropriate water, the right to use 1.45 cubic feet of water per second from groundwater (one well) with a priority date of March 9, 1979 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated No. 4400A-3 and subject to South Dakota State Law.


MAR 24 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 24 1992

4400A-3

Huron Colony
RR 2, Box 185
Huron, SD 57350

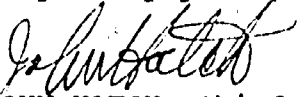
Dear Sirs:

Enclosed is Water License No. 4400A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411198 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4400A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,


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

enclosures

NOTE: The applicable portions of Water Permit No. 4400-3 are incorporated into this Water License No. 4400A-3

Permit Application No. 4400A-3
Huron Colony
March 3, 1986

Water Permit Application No. 4400A-3 for Huron Colony, north of Huron in Beadle County, is to amend Permit No. 4400-3 by changing the well location from the SE1/4, NE1/4, Sec. 23, T113N, R62W to the NW1/4, SE1/4, Sec. 23, T113N, R62W. The amended application does not authorize any increase in the diversion rate, and was submitted to utilize 1.90 cfs of groundwater from one existing well, 80 feet deep for irrigation purposes. The existing well was drilled in a location that is different from the location specified in Application No. 4400-3.

Surface Geology

The well site is located in the James Basin portion of the Central Lowlands physiographic province, near the southern edge of the Lake Dakota Plain. Topographically, the region is a broad flat plain covered by Pleistocene glacial drift and scattered areas of recent alluvium. The drift is composed primarily of till with additional lenses of outwash material (Howells and Stephens, 1968).

Aquifer Characteristics

A well log submitted with the application indicates that the water is being withdrawn from the Tulare-Hitchcock glacial aquifer. Observation well data reveals that the aquifer is predominately under water-table conditions, although in areas, artesian conditions are encountered (Division Observation Well Files, 1986). The aquifer is composed of lenses of coarse grained glacial outwash located at shallow depths with an average aquifer thickness of 40-50 feet (Howells and Stephens, 1968).

The Tulare-Hitchcock aquifer has an areal extent of 150,000 acres, covering portions of northern Beadle and southern Spink counties. Total recoverable water from the aquifer has been estimated by the SDGS to be 693,000 acre-feet (Hedges, et al, 1982). Because of the till cover over the aquifer in Beadle County, little recharge is through precipitation and infiltration. Recharge occurs mainly through the aquifer itself from the up-gradient area of southwestern Spink County. Discharge occurs through evaporation and transpiration, pumping for irrigation and domestic use, some seepage into lakes and streams as well as groundwater outflow (Howells and Stephens, 1968).

A number of observation wells are located in this aquifer. Wells in different portions of the aquifer show varying fluctuations. In the northern Spink County region, past water levels have varied little and have actually risen slightly in recent years. Beadle County well measurements showed water level declines from the mid 1970's to early 1980's and have leveled off or risen slightly in the last few years (Division Observation Well Files, 1986). Therefore, water continues to be available for this permit, but future applications need to be scrutinized because of the possible long term trend of lower water levels in the aquifer.

Water Permits

Annual permitted water allocation from the aquifer in January, 1985 was 44,621 acre-feet (Hedges, et al, 1985) with the amount of water recoverable

estimated at 693,000 acre-feet, (Hedges, et al, 1982). A significant amount of water is being taken from this aquifer; however, Permit No. 4400A-3 does not authorize any new withdrawals, so aquifer reserves will not be affected.

The well in question is presently in operation and the Water Rights Division files show no complaints brought against operation of this well (Division Complaint Files, 1986).

Six Irrigation permits for wells withdrawing water from this aquifer are located within approximately one mile of this well. Five of these wells have been developed, three of which are licensed. Permit withdrawals for the five wells total 7.71 cfs on 633 acres. The Colony Application No. 4400A-3 and the remaining undeveloped Permit No. 4871-3 add 3.29 cfs and 253 acres to that total in this heavily developed Irrigation area. The closest permitted Irrigation well, No. 4871-3 is listed as being less than 500 feet from the Colony well (Division Permit Files, 1986). The drillers log accompanying Permit No. 4871-3 (Hulzenga Bros.) places the well at the "approximate" center of Sec. 23, T113N, R62E. However, an inspection by Water Rights Division personnel on February 26, 1986, determined that the well has not been developed at the location described in Permit No. 4871-3. With a priority date of January 22, 1982, the permit allows the holders of Water Permit No. 4871-3 less than one year to complete construction of the water supply system (Division Permit Files, 1986). If the permit is not developed, well interference will not be a problem between permits No. 4871-3 and No. 4400A-3. If the Hulzenga Brothers well is developed, a more detailed study of the aquifer characteristics would be needed to predict whether there would be interference between the two wells.

A conflict with priority dates may arise if Permit No. 4871-3 is developed and interference does become a problem. The original Huron Colony well authorized by No. 4400-3 had a priority date of March 9, 1979 and was to be located 1,050 feet east of the center of section 23, according to the aerial photo map. This map differs from the advertised description which places the well at least 1,320 feet from the center of section 23. On field inspection, it was determined that a new operational well for Application No. 4400A-3 had been completed 422 feet east and 36 feet south of the center of Section 23. Since this well relocation may increase the potential for interference with another Irrigation well, Water Management Board Rule 74:02:01:07.01 does not apply and an application to change the location of the diversion point was necessary. Permit No. 4400A-3 was submitted in January, 1986 to amend No. 4400-3 by changing the diversion point to the new well location and to retain the old priority date. The legality of moving the diversion point this distance while retaining an old priority date may be questioned, if interference is suspected (Water Management Board Rules 74:02:01:07.01 and 74:02:01:14.01).

Conclusions

1. Application No. 4400A-3 does not authorize any increased groundwater withdrawals; therefore, water for the permit is available from this aquifer.
2. Observation well water levels in this portion of the Tulare-Hitchcock aquifer declined from the mid 70's to early 80's, but have leveled off or have risen slightly in the last few years.

3. No complaints have been filed against the operation of this existing well.
4. Since Water Permit No. 4871-3 has not been developed, well interference will not be caused by Permit No. 4400A-3. If the system for No. 4871-3 is built, more information would be needed to determine the impacts.
5. Priority date questions between No. 4871-3 and No. 4400A-3 may arise if No. 4871-3 is developed and interference is suspected. However, since No. 4871-3 with a priority of January 22, 1982, has not been developed, No. 4400A-3 will be senior to No. 4871-3 with a retained priority of March 9, 1979.

Tom Brandner

Tom Brandner
Water Resources Engineer

References

- Hedges, L., and others, 1983, Evaluation of Groundwater Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 6: Average Annual Water Use by Aquifer: Prepared by Department of Water and Natural Resources, SDGS, for U.S. Army Corps of Engineers, 56 p. and App.
- Hedges, L., and others, 1982, Evaluation of Groundwater Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa: Prepared by Department of Water and Natural Resources, SDGS, for U.S. Army Corps of Engineers, 63 p.
- Howells, L. and Stephens, J., 1968, Geology and Water Resources of Beadle County South Dakota, Part II: Water Resources: SDGS Bulletin 18, In cooperation with USGS, 65 p.
- Water Rights Division, 1986, Beadle County: Complaint Files, Drillers Logs, Irrigation Questionnaires, Observation Well Logs, Water Permit Files: South Dakota Department of Water and Natural Resources, Joe Foss Bldg., Pierre, South Dakota.

D20406TB.WR

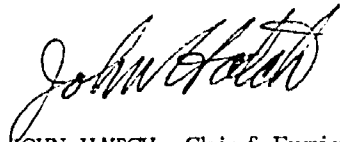
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4400A-3, Huron Colony

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4400A-3, Huron Colony, Rt 2, Box 185, Huron SD.

The Chief Engineer is recommending APPROVAL of Application No. 4400A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
March 7, 1986

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

Water Rights Division
605 773-3352

March 21, 1986

Huron Daily Plainsman
49 3rd Street SE
Huron, South Dakota 57350

3/22 4/4
11.2

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Huron Colony
Application No. 4400A-3 in Beadle County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before March 28, 1986.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

Please receipt for this notice IMMEDIATELY after first publication attaching a
copy of the first publication so that it may be compared with the records. For
your convenience, you may use the printed form below for this purpose.

After final publication please complete and mail to this office, the enclosed
Proof of Publication form. The permit to appropriate water cannot be considered
by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall

RON DUVALL
Natural Resources Engineer
RD:ms
enclosures

cc: applicant

* * * * *

Instruction to Newspaper - Publish first publication of the following Notice on or before
March 28, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4400A-3 to Appropriate Water
and/or to Amend Water Permit or Water Right No. 4400-3

Notice is hereby given that Muron Colony whose mailing address is
Route 2, Box 155, Muron, South Dakota has made an application for a permit

to change the location of the well approved by water permit application No. 4400-3
from the SE1/4, Section 23-T113N-R62W to the new location of NE1/4, Section 23-T113N-
R62W. This water permit application does not authorize any increase in the diversion
rate of 1.90 cubic feet per second approved by permit No. 4400-3 or change the acres
being irrigated. This well is 80 feet deep.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 4400A-3 because 1) ~~unappropriated water is available,~~
2) ~~will be no unlawful impairment of existing rights,~~ 3) ~~is beneficial use of water and~~
4) ~~is in the public interest.~~

This application will be considered by the Water Management Board at Room 216, Joe Foss
Building, 523 E. Capitol, Pierre, South Dakota, May 14 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny
this application after it reaches a conclusion based upon facts presented at the public
hearing. Any interested person who may be affected by a Board decision and who intends to
participate in the hearing before the Board and present evidence or cross-examine witnesses
according to ~~SDCL 46-2A-2~~ must file a written petition with BOTH the applicant and the Chief
Engineer by May 2, 1986. The petition may be informal, but it must include a
statement describing the petitioners interest in the application, the reasons for the
petitioner's opposition to or support of the application, and the signature and mailing
address of the petitioner or his legal counsel if legal counsel is obtained. The applicant
need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru
46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12,
46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2
46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~
~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4; 46-5-33 thru 46-5-35; (10,000 AFA)~~
~~46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use)~~
~~74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a
petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
this application or to assure access to the hearing by the handicapped can contact the
Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance
prior to the hearing date. The time of the hearing will be automatically extended for
at least twenty days upon written request of the applicant or any person who has filed
a petition to oppose or support the application. The request for extension must be filed
with the Chief Engineer by May 2, 1986.

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

No. 4400A-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, James I. Hein hereby

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

Water was taken from the Huron Daily Plainsman

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

City _____ of Huron

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

March 28, 1986

April 4, 1986

James I. Hein

(Signature)

Beadle

(Title)

4 April 1986

(Date Signed)



Cost of Printing: \$64.90

WNR-808-7/79
Proof of Publication

F.P. 3-28 86 L.P. 4-4 86

NOTICE OF HEARING

On Application No. 4400A-3 to
Amend Water Permit No. 4400-3
Notice is hereby given that
Huron Colony, whose mailing
address is Route 2, Box 185,
Huron, South Dakota, has made
an application for a permit to
change the location of the well
approved by water permit
application No. 4400-3 from the
SE 1/4 NE 1/4 Section 23-T113N-
R62W to the new location of
NW 1/4 SE 1/4 Section 23-T113N-
R62W. This water permit appli-
cation does not authorize any
increase in the diversion rate of
1.90 cubic feet per second ap-
proved by permit No. 4400-3 or
change the acres being
irrigated. This well is 80 feet
deep.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
approval of Application No.
4400A-3 because 1) will be no
unlawful impairment of existing
rights, 2) is beneficial use of
water and 3) is in the public
interest.

This application will be con-
sidered by the Water Manage-
ment Board at Room 216, Joe
Foss Building, 523 E. Capitol,
Pierre, South Dakota, May 14,
1986, at 10:00 a.m.

The recommendation of the
Chief Engineer is not final or
binding upon the Board and the
Board is authorized to 1) ap-
prove, 2) approve with quali-
fications, 3) defer, or 4) deny
this application after it reaches
a conclusion based upon facts
presented at the public hearing.
Any interested person who may
be affected by a Board decision
and who intends to participate
in the hearing before the Board
and present evidence or cross-
examine witnesses according to
SDCL 1-26, must file a written
petition with BOTH the appli-
cant and the Chief Engineer by
May 2, 1986. The petition may be
informal, but it must include a
statement describing the
petitioner's interest in the appli-
cation, the reasons for the
petitioner's opposition to or
the signature and mailing ad-
dress of the petitioner or his
legal counsel if legal counsel is
obtained. The applicant need
not file a petition.

This application is made
pursuant to the provisions of
SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-15; 46-2-3-1, 46-2-9, 46-2-
11, 46-2-13, 46-2-17; 46-2A-1 thru
46-2A-10, 46-2A-12, 46-2A-14, 46-
2A-15; 46-5-1 thru 46-5-11, 46-5-13
thru 46-5-15, 46-5-24, 46-5-25, 46-5-
30-2, 46-5-30-4, 46-5-31; 46-6-3, 46-
6-3-1, 46-6-6-1, 46-6-10, 46-6-13, 46-
6-14; and Board Rules ARSD
74-02-01:01 thru 74-02-01:15.

This hearing is an adversary
proceeding. The applicant or
any person, after filing a
petition, 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. De-
cisions of the Board may be
appealed to the Circuit Court
and the State Supreme Court as
provided by law.

Any person wishing a copy of
the Chief Engineer's recom-
mendation, further information
on this application or to assure
access to the hearing by the
handicapped can contact the
Water Rights Division, DWNR,
Joe Foss Bldg., Pierre, SD (605
773 3352) for assistance prior to
the hearing date. The time of
the hearing will be auto-
matically extended for at least
twenty days upon written
request of the applicant or any
person who has filed a petition
to oppose or support the appli-
cation. The request for ex-
tension must be filed with the
Chief Engineer by May 2, 1986.
No. 162 (adv.)

114 3-29-86 4-4-86

Permit No. 4400-34 44COA-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by the Huron Colony
Route 2, Box 185 of Huron SD 57350 holder of
 Permit No. 4400-34 44COA-3, bearing the priority of March 9 1979 authorizing
 the diversion of 1.90 cu. ft. per second of the waters of the Tulare-Hitchcock aquifer
 for irrigation purposes, in Beadle County.

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

motor: US Electricalpump: Western Land
RollerID no. R-6229-05-38040 hp, 1770 rpm

A. Works used to divert the water:

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

pipeline: size - 8 intype - PVClength - 900 Ftcenter pivot: make - Lockwood# of towers - 9low pressure - 40 psicapacity - 850 gpm

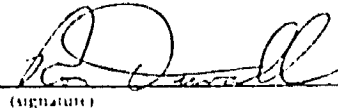
C. Works used to apply water to beneficial use:

The system is in the following condition goodThe point of diversion is located well: 422 Ft E and 36 Ft S from the
center of sec 23-T113N-R62WThe works are capable of diverting and conveying to the place of use 1.88cu. 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:

SW 1/4 NE 1/4 sec 23-T113N-R62W Acres 6SE 1/4 NE 1/4 32NW 1/4 SE 1/4 32NE 1/4 SE 1/4 32comprising a total of 102 acres of land and the license should be issued for 1.45 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____

Date April 25, 1985

 (signature)

LICENSE FOR PERMIT NUMBER 4400-3

1. Legal location of wells: 422 Ft E. and 36 Ft S. From center of
sec 23-T113N-R62W

Dams & structures: _____

2. Well Information: Well Drilling Firm Riverside

No. of wells 1 Depth 80 Ft

Casing a) diameter 16 in Screen a) type stainless steel
b) length _____ b) length 30 Ft
c) type stainless steel Static Water Level _____

Pump a) make Western Land Roller Motor a) make U.S. Electrical
b) model _____ b) ^{HP} model no. R-6229-05-380
c) size _____ c) horsepower rating 40 hp
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump no. of stages _____ 1770 rpm

3. Distribution lines:

a) size of lines 8 in
b) type PVC
c) length 890 Ft

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make Lockwood
- 2) number of towers 9
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 40
- 9) GPM 850

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☒	☐	2. Special Qualifications to permit being abided by.
☒	☐	3. All Structures, wells and lands on map.

REMARKS:

- 1) Chemigation is not used.
- 2) According to the irrigation questionnaire, the acreage began to be irrigated in 1983



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4400A-3

June 27, 1976

Sam Waldner
Huron Colony
Rt 2, Box 185
Huron SD 57350

Dear Mr. Waldner:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4400A-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

RON DUVALL
Natural Resources Engineer

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 15, 1929

411102

RECEIVED OF Huron Hutterian Brethren, Inc., RR 2, Box 125, Huron SD 57030

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>44001-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (C.E.)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

December 19, 1985

Sam Waldner
Huron Colony
Rt 2, Box 185
Huron SD 57350

Dear Mr. Waldner:

I am contacting you regarding the final inspection of Permit No. 4400-3 on April 25, 1985. The purpose of the final inspection is to compare the original conditions of the permit with what has been developed. After any necessary corrections are made, the water permit is licensed and becomes a water right.

The well for Permit No. 4400-3 is not located in the location specified by the permit. The well is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T113N, R62W but should be located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ according to the permit. The enclosed map shows the correct location of the well. The enclosed permit application is an amendment to Permit No. 4400-3 and allows for a change in the location of the diversion point. The permit application will have the same priority date as listed on Permit No. 4400-3.

Please answer any questions which have not been completed and correct any errors. Inform our office if any variation exists between the well location on the enclosed map and the actual location of the well. The forms must then be notarized and returned with an application fee of \$50.00. Thank you for your time and consideration.

Sincerely,

RON DUVAL
Natural Resources Engineer

RD:ks

enclosures

Equal Opportunity Employer

Water Rights Division
605 773-3352

January 7, 1986

Sam Waldner
Huron Colony
Rt 2, Box 185
Huron SD 57350

Mr. Waldner:

I am returning Form 2 of your permit application to be notarized. When it is returned to us we will continue to process your application. If you have any further questions, please contact this office.

Thank you,

KEVIN C LAISON
Natural Resources Engineer

KCL:ks

enclosure



Department of Water & Natural Resources

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

March 23, 1987

HURON COLONY, Jake Wollman
RR #2 BOX 185
HURON, SD 57350

NOTICE

Re: Violation of Water Permit(s) 4400A-3 and 1986 Irrigation
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-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 permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No(s). 343-3, 343-3A, 3268-3, and 2390-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

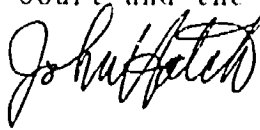
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

Following the hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4400A-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 343-3, 343-3A, 3268-3, and 2390-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

April 15, 1987

343-3
343-3A
2390-3
3268-3
4400A-3

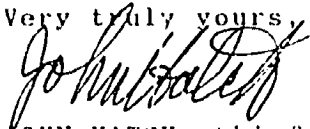
Jake J Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

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. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-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,
A handwritten signature in cursive script, appearing to read "John Hatch".

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 29, 1988

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

Re: Violation of Water Permit No(s). 4400A-3 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No(s) 343-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

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

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

1. Suspend Permit No(s). 4400A-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 343-3 also held by JAKE WOLLMAN- HURON COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

Sincerely

A handwritten signature in cursive script, appearing to read "John Hatch", written in dark ink.

John Hatch, Chief Engineer
Water Rights Division

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



Department of Water & Natural Resources

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

February 10, 1988

343-3
4400A-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron SD 57350

Dear Mr. Wollman:

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 No. 343-3, 4400A-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

PS Form 3817, Oct. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES)	
1. The following service is requested (check one).	
☒ Show to whom and date delivered — c	
☐ Show to whom, date, and address of delivery.. — c	
2. ☐ RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.) — c	
TOTAL \$	
3. ARTICLE ADDRESSED TO: <i>Sam Waldner</i> <i>Huron Colony</i> <i>Rt 2, Box 185</i> <i>Huron SD 57350</i>	
4. TYPE OF SERVICE: ☒ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER <i>P 404 786 484</i>
(Always obtain signature of addressee or agent)	
I have received the article described above.	
SIGNATURE ☐ Addressee ☐ Authorized agent	
5. DATE OF DELIVERY <i>Sam Waldner</i>	POSTMARK
6. ADDRESSEE'S ADDRESS (Only if requested)	
7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS



Department of Water & Natural Resources

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

April 11, 1988

SECOND NOTICE

Permit No. 4400A-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Sam Waldner
Huron Colony
Rt 2, Box 185
Huron SD 57350

Dear Mr. Waldner:

June 27, 1986 you were notified the final inspection fee of \$50.00 is due before Water License No. 4400A-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch".

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

s508.wr

 **Department of
Water & Natural Resources**

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

February 8, 1989

JAKE WOLIMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

RE: Violation of Water Permit No(s). 4400A-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No. 343-3, 343-3A, 2390-3, 3268-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 4400A-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 343-3, 343-3A, 2390-3, 3268-3 also held by JAKE WOLIMAN- HURON COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



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

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

March 6, 1989

343-3
343-3A
2390-3
3268-3
4400A-3

Jake Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

JAKE WOLLMAN- HURON COLONY
RR #2 BOX 185
HURON, SD 57350

NOTICE

RE: Violation of Water Permit No(s). 4400A-3 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4400A-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4400A-3 qualification:

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

The hearing will also be to determine if Permit No. 343-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 4400A-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 343-3 also held by JAKE WOLLMAN- HURON COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaires are received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



Department of Water & Natural Resources

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

February 23, 1990

343-3
343-3A
2390-3
3268-3
4400A-3

Jake Wollman
Huron Colony
RR 2, Box 185
Huron SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3 and 4400-3A. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall/KS

RON DUVALL
Natural Resources Engineer
Water Rights Division

RECEIPT

Division of Water Rights

No 4 10279

South Dakota Department of Water and Natural Resources

Pierre, January 7, 1986

RECEIVED OF Huron Colony, RR#2, Box 185, Huron, SD 57350

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

Fee for Application for Permit No. 4400A-3 to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)	Total	

By

Chief Engineer

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

Referred to Wells Log

Well Owner:

Name

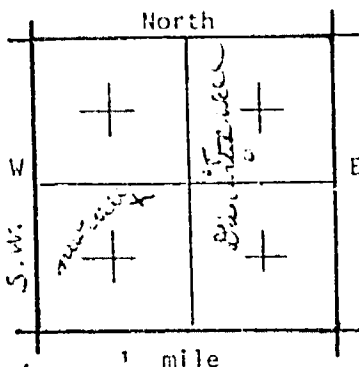
Huron Colony

Address

Huron S. LaPr.

Well Location:

Mark location
with an "X"



County

Bend

S 5 W 1/2 Sec. 23 Twp 113N Rg. 12E 21W

Proposed Use:

☐

Domestic

☐

Municipal

☐

Test

Holes

☒

Irrigation

☐

Industrial

☐

Stock

Method of Drilling:

☐

Forward Rotary

☐

Bored

☐

Jetted

☒

Reverse Rotary

☐

Cable

☐

Other

Well Construction:

Diameter of Hole

28"

Depth

Quandary

Casing

☒

Steel

☐

Concrete

☐

Plastic

☐

Other

If other, specify

stainless steel

Was casing end left open

Was a well screen installed

Describe Well Screen

Diameter

110"

Material

stainless steel

Slot size

20

Was well gravel packed

Was well grouted

Was water sample taken

Water Level Information:

Static water level *28'* below land surface

If flowing: closed in pressure *PSI*

rate of flow *1500* GPM

Controlled by:

☐

Valve

☐

Reducers

☒

Other

If other; specify *open charge*

Well Test Data:

Nov 20 1981

☒ Pumped

☐ Bailed

Describe:

☐ Other

Pumping Level Below Land Surface

3.3 ft. After *24* Hrs. pumped *1000* GPM

" *"* *"* *"* *"* *"*

" *"* *"* *"* *"* *"*

Well Log:

Formation	Depth	
	From	To
<i>Top Soil</i>	<i>0</i>	<i>2</i>
<i>Yellow clay</i>	<i>2</i>	<i>18</i>
<i>Blue clay</i>	<i>18</i>	<i>28</i>
<i>Orange sand</i>	<i>28</i>	<i>50</i>
<i>Gravel</i>	<i>50</i>	<i>58</i>
<i>Coarse sand</i>	<i>58</i>	<i>70</i>
<i>Dark coarse</i>	<i>70</i>	<i>80</i>
<i>Gravel</i>	<i>70</i>	<i>80</i>

(Use Back if Necessary)

Date Completed:

Nov 20 1981

Driller:

Riverdale Drilling

354

Driller's or Firm's Name

License NO.

Huron S. LaPr.

Address

Signed By

Date

Remarks:

2.4 feet screening stainless steel
56 feet solid casing stainless steel

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

JAKE WOLLMAN-- HURON COLONY
RR #2 BOX 185
HURON SD 57350

DEPARTMENT OF WATER & NATURAL RESOURCES

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

4400A-3

NOTICE

RE: Violation of Water Permit No(s) 343-3, 343-3A, 2390-3, 3268-3, 4400A-3 and 1990 Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 343-3, 343-3A, 2390-3, 3268-3, 4400A-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 4400A-3 qualification:

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

The hearing will also be to determine if Permit No(s) 343-3, 343-3A, 2390-3, 3268-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Suspend Permit No(s); 4400A-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 343-3, 343-3A, 2390-3, 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 13, 1991

343-3
343-3A
2390-3
3268-3
4400A-3

Jake Wollman
Huron Colony
RR #2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 343-3, 343-3A, 2390-3, 3268-3, and 4400A-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

4400A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 27, 1992

Huron Colony
RR 2, Box 185
Huron, SD 57350

Dear Sirs:

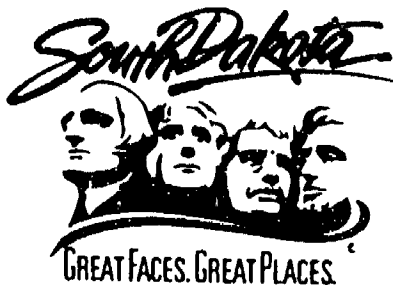
For your records, please find enclosed Water License No. 4400A-3 and receipt #411198, which was submitted to our office. This is to be retained by you. The receipt is not a bill, but shows you paid the \$50.00 Inspection fee on April 15, 1988.

If you have further questions, please feel free to contact our office.

Sincerely,

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

encl



4400A-3

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

January 30, 1996

NOTICE**TO:** HURON COLONY, JAKE WOLLMAN, RR #2 BOX 185, HURON, SD 57350**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Violation of Water Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2390-3 & 3268-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

3. Article Addressed to:

HURON COLONY
JAKE WOLLMAN
RR #2 BOX 185
HURON SD 57350

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

Betty Waldner

PS Form 3811, December 1994

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

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

Consult postmaster for fee.

4a. Article Number

2161984117

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

1-31-96

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

Domestic Return Receipt

Thank you for using Return Receipt Service.

4400A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1996

Ron Wollman
Huron Colony
RR 2 Box 185
Huron, SD 57350

RE: Water Permit Nos. 2390-3, 3268-3, 4400A-3 and 5651-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permits and Violation of the Requirements to Submit the 1995 Irrigation Questionnaire.

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,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

Genny McMath
Environmental Scientist
Water Rights Program
(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, 4a, and 4b.
- Print your name and address on the reverse of this form so 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:

HURON COLONY
JAKE WOLLMAN
RR 2 BOX 185
HURON SD 57350

4a. Article Number

P 378 081 510

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

2-5-97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Julie Wollman

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



4400A-3

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: HURON COLONY, JAKE WOLLMAN, RR 2 BOX 185, HURON, SD 57350

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

SUBJECT: Violation of Water Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2390-3 & 3268-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

4400A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

2390-3

3268-3

4400A-3

5651-3

Jake Wollman
Huron Colony
RR 2 Box 185
Huron, SD 57350

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: HURON COLONY, JAKE WOLLMAN, RR 2 BOX 185, HURON, SD 57350

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2390-3 & 3268-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

4400A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1998

2390-3

3268-3

4400A-3 → 4404A-3

5651-3

Huron Colony
Jim J Waldner
RR 2 Box 185
Huron SD 57350

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 2390-3, 3268-3, ~~4404A-3~~ and 5651-3.

4400A-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,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Environmental Scientist
Water Right Program
(605) 773- 552



January 16, 2002

NOTICE

4400A-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: HURON COLONY, JIM J WALDNER, 40068 HURON COLONY LANE, HURON, SD 57350
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 4400A-3 & 5651-3, 2390-3 & 3268-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2390-3 & 3268-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2390-3 & 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



4400A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2002

Jim J Waldner
Huron Colony
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Waldner:

Enclosed is a set of irrigation questionnaires for 2001. It is my understanding that you do not have the original forms mailed out in October.

The legal descriptions for each water permit or right are now shown on the irrigation questionnaires. Please review them and complete the forms with any irrigation information you may have from last crop season.

The forms need to be returned to our office prior to March 13th. On March 13th the Water Management Board will meet to discuss what type of action should be taken for questionnaires not received in a timely manner.

If you have any questions and need assistance in completing the forms, please give me a call.

Thank you,

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



4400A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 2002

2390-3
3268-3
4400A-3
5651-3

Jim Waldner
Huron Colony
40068 Huron Colony lane
Huron, SD 57350

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2390-3, 3268-3, 4400A-3 and 5651-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

January 14, 2004

NOTICE

TO: HURON COLONY, JIM J WALDNER, 40068 HURON COLONY LANE, HURON, SD 57350

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 2390A-3, 4400A-3 & 5651-3, 3268-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3268-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2390A-3, 4400A-3 & 5651-3 qualification:

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

The hearing will be held at 8:30 am, March 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2390A-3, 4400A-3 & 5651-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3268-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

I'm very sorry for the delay in sending the report. Jim Waldner retired for health reason. So I'm ~~take~~ taking over & I'm new at it. So please forgive me I will try to do better in the future

Sam Waldner

home	605 352 5647
cell	605 350 9501

If you got any questions call

RECEIVED

JAN 26 2004

WATER RIGHTS
PROGRAM



4400A-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 26, 2004

2390A-3
4400A-3
3268-3
5651-3

Sam Waldner
Huron Colony
40068 Huron Colony Lane
Huron SD 57350

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2390A-3, 4400A-3, 3268-3 and 5651-3.

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

As you requested, future correspondence will be directed to your attention. Thank you for sending in the questionnaires and the update information for the water right files. If you have any questions, please contact me.

Sincerely,

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

4400A-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: HURON COLONY, JOEY WALDNER, 40068 HURON COLONY LANE, HURON, SD 57350 8001

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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: <https://denr.sd.gov/iq> using this password: LHSJWM**

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.

4400A-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2021

Joey Waldner
Huron Colony
40068 Huron Colony Lane
Huron SD 57350 8001

RE: Water Permit or Right Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3

Dear Mr. Waldner:

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

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water rights or water permits. 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,

A handwritten signature in cursive script, reading "Genny McMath". The signature is written in dark ink on a white background.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: HURON COLONY, JOEY WALDNER, 40068 HURON COLONY LANE, HURON, SD 57350

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing 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: <https://danr.sd.gov/iq> using this password: RDXOUP**

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.

Also try: [usps service tracking](#) · [my usps tracking](#)

27,597,233 Results

[Open links in new tab](#)

Track USPS package

7019 1120 0001 2910 9063

Track

 USPS package #70191120000129109063
www.usps.com
[See more](#)

Delivered: Fri, Jan 21, 11:07 AM

Processed In transit Delivered 

DATE	TIME	LOCATION	STATUS
Jan 21	11:07 AM	Huron, SD, United States	Delivered, left with individual
Jan 20	9:24 PM	Huron Sd Distribution Center	Arrived at USPS regional facility

Data from usps.com

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®.**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Delivered
 1-21-2022
 Postmark
 Here

ity Mail ® 9205
 On Delivery
 000 000 00

eliverytrack.net
 ols.usps.com
 ols.usps.com
 l.usps.com
 osttrack.com

HURON COLONY
 JOEY WALDNER
 40068 HURON COLONY LANE
 HURON SD 57350 8001

shipping and
 ZIP Code, and

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

[Tracking](#) · [ZIP Code Lookup](#) · [Hold Mail](#) · [Sign In](#) · [Calculate a Price](#) · [Careers](#)

USPS.com® - USPS Tracking®

<https://tools.usps.com/go/TrackConfirmAction?tLabels=>

USPS.com® - USPS Tracking®

News about USPS Tracking

bing.com/news

Tax Refund Checks Are
 Coming: Track Them
 Straight to Your Mailbox



Track Your Tax Refund
 with Free Tools From the
 IRS and USPS

Still Waiting? Here Are
 Two Ways to Track Your
 Tax Refund

Instead of just blindly
 waiting for this year's tax
 refund to come through,
 know that there are a
 couple of handy ways to





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 3, 2022

**NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION
OF WATER RIGHTS AND WATER PERMITS**

TO: Joey Waldner, Huron Colony, 40068 Huron Colony Ln, Huron SD 57350-8001

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: One Year Suspension of Water Permit/Right Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3

On March 2, 2022, the Water Management Board ordered:

Effective April 4, 2022, Water Permit/Right Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 be suspended for the 2022 irrigation season for failure to submit the 2021 irrigation questionnaires.

If the 2021 irrigation questionnaires are received prior to April 4, 2022, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2022 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2022 unless the 2021 irrigation questionnaires are submitted by April 4, 2022.

After April 4th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2021 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 4-5, 2022, in Pierre, SD. The letter should include your reasons for not completing the 2021 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 3, 2022, I have personally deposited with the United States mail at Pierre, South Dakota, a first class postage prepaid envelopes containing a "Notice" dated March 3, 2022, concerning Board action to amend and/or suspend water rights to the following:

Amendments:

No. 3487-3: Dave Hanson, 31489 455th Ave., Meckling SD 57069
No. 2460-3: Ryan Patterson, 10946 425th Ave., Britton SD 57430
Patterson Farm Inc, 42474 SD Hwy 10, Britton SD 57430

Amend & Suspend:

Nos. 1397-2, 2647-2 & 2701-2: Cody Burull, 25299 Deer Valley Rd, Reliance SD 57569

Nos. 2072-3, 2126-3, 3204-3, 7236-3 & 7237-3:

- David Ulvestad, 46720 201st St., Bruce SD 57220
- Darwin Ulvestad, 46679 201st St, Bruce SD 57220

Three year suspensions:

No. 410B-2: Kathi Koester, PO Box 206, Custer SD 57730-0206
Nos. 1350-3 & 6042-3: Scott Jensen, 24348 478th Ave., Dell Rapids SD 57022

One year suspensions:

No. 6947-3: Joe Adler, 48353 149th St, Milbank SD 57252
Nos. 6263-3 & 8041-3: George G Hofer, Cedar Grove Colony, 36926 266th St, Platte SD 57369
No. 881-2: Ryan Edwards, 25331 Yellow Eagle Rd, White River SD 57579
No. 6316-3: Howard Athletic Club Inc., 508 E Farmer Ave., Howard SD 57349-9017
Nos. 2851-3 & 4955-3: David Huber, 16010 413th Ave., Conde SD 57434

Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3: Joey Waldner Colony, 40068 Huron Colony Lane, Huron SD 57350-8001

Nos. 7286-3 & 7543-3: Brian Kozak, 30620 417th Ave., Tyndall SD 57066
No. 5665-3: Pat Mentele, PO Box 41, Woonsocket SD 57385-0041
No. 8326-3: Jerry D Nelsen, 45125 291st St., Viborg SD 57070
No. 7005-3: Troy Randall, Randall Enterprise LLC, 24250 479th Ave., Dell Rapids SD 57022 6139
No. 2497-2: Marty Vanderploeg, 22958 293rd St, Martin SD 57551-5930
No. 8265-3: Carl Pulvermacher, Wiskota Farm, 14050 SD Hwy 25, Webster SD 57274
Nos. 516-1 & 715-1: Lawrence Woodward, PO Box 220, Dupree SD 57623-0220



Genny McMath
Program Assistant-Water Rights

STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

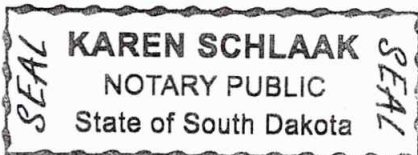
Sworn to, before me, this 3rd day of March, 2022.



Karen Schlaak

Notary Public

My Commission expires April 1, 2025





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 16, 2022

Joey Waldner
Huron Colony
44068 Huron Colony Ln
Huron SD 57350 8001

RE: Water Permit/Right Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3

Dear Mr. Waldner:

On March 2, 2022, the Water Management Board ordered Water Permit/Right Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 be suspended if the 2021 irrigation questionnaires were not received prior to April 4, 2022. The questionnaire information has been received.

Since the irrigation questionnaires are on file, no violations have occurred, and no suspensions will take place. You may irrigate during the 2022 irrigation season.

If you have any questions, please contact us.

Sincerely,

Ron Duvall
Water Rights Permitting Administrator
Water Rights Program
(605) 773-3352



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: HURON COLONY, JOEY WALDNER, 40068 HURON COLONY LN, HURON, SD 57350
8001

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: FTBPLU**



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 31, 2024

2390A-3, 3268A-3, 4400A-3,
5651-3, 6431-3, 7365-3, 7366-3,
7367-3, 7370-3, 7395-3, 7905-3,
7906-3, 7369A-3, 7369B-3,
7369C-3, 7906A-3 & 8678-3

Huron Httm Brth
c/o Joey Waldner
40068 Huron Colony Ln
Huron SD 57350

Dear Mr. Waldner:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3 & 8678-3.

The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us