

1. Considered Nov. 19 1980
2. Name of Applicant TED NEUHAUER
3. Post Office Address HURLEY 57036
4. Amount of Water Claimed 2.28
5. Source of Water Supply 110' WELL
6. Water to be used for IRR.
7. Acres to be irrigated 160 maximum
acre feet
8. Water to be diverted and used in TURNER County
about 2 miles NORTH of HURLEY
9. PROOF OF PUBLICATION Received 10-31-80

Not Received

APPLICATION

Approved 11-19-80Subject to WT-IR

Not Approved

Action deferred

Priority

Date

Received 9-2-80 Application Complete yes no FEE 250⁰⁰Remarks 40 acres covered under W/R 345-31 W451'

Date information and/or
fee or corrected Application received

Period of Annual use APRIL - OCTOBER

WATER
QUALITYReceived yes 11/13/80 no no APPROVED CONDITIONAL (Circle one)WI-1 Description same as application yes no no Remarks

Disapproved

Returned

Diversion Point

NE⁴ SE⁴ Sec. 15-T90N -
R 53 W

Lands to be irrigated

SE⁴ SEC. 15-T90N -
R 53 W

WELL
LOG

Remarks

Driller GRIMSHAWLicensed yes noDepth 110'

Map No. 3780-3 Map located in Water Right X Map file _____
Type of Map Final Prepared by SPS

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov 19, 1980.
Debra G. Johnson
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. Remarks _____

No. 4560-3Map No. 3780-3Water Division No. 3VERMILLION RIVER

District

(Blanks to be filled by the Engineer for the W. R. C.)

10170102

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Ted Neuhauser System #2
 Postoffice address Hurley, S. D. 57036, State S. D.
 If a corporation show date and place of incorporation n/a
 2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
 3. Name of diversion work Neuhauser #2
 4. Amount of water claimed (cubic feet per second) 2.28
 5. Source of water supply well
 6. Location of point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15-28-53

County Turner

7. Annual period or periods during which water is to be used April-October
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 9. For irrigation use, Total number of acres to be irrigated 160

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
W $\frac{1}{2}$ SE $\frac{1}{4}$ 15-28-53	40		
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15-28-53	40		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 15-28-53	40		
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15-28-53	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Hurley Leader, Hurley SD 57036
 12. Principal Features of the Proposed Water Supply System.

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

Elec. pump

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

Buried underground line to C.P.

C. Works proposed to apply water to beneficial use.

C.P. sprinkler system

Estimated Total Cost \$ 60,000.00

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

STATE OF SOUTH DAKOTA

County of TurnerI, TEO NEUHAUSER, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Ted NeuhauserSubscribed and sworn to before me this 25 day of Aug, 1980

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4560-3

Ted Neuhauser
(Applicant)

Hurley
(Post Office Address)

South Dakota 57036 With the following modifications:
(State)

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

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

Date of first receipt of application: September 2, 19 80
Date of return to applicant for correction, amendments or changes required September 3, 19 80
Date of receipt of corrected application October 13, 19 80
Approved November 19, 19 80, Recorded in Book 21 Page 302
WATER RIGHT PERMIT NO. 4560-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4560-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 2, 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 19, 19 81
3. The whole of said work is to be completed on or before November 19, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is November 19, 19 85
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before November 19, 19 85; said water to be used during the following described annual period: April - October

Witness my hand this 4th day of December, 19 80

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Certificate of Construction Issued _____, 19 _____
Water License Issued _____, 19 _____

GRIMSHAW DRILLING CO.

P.O. BOX 81
CHESTER, S.D. 57016

LARRY WOLD
(605) 489-2182

DRILLING
LOG

JAY VAN LIERE
(605) 489-2427

Name TED NEUHAUER Date 7-23-80

Address Hurley SD

County Turner ^{SE⁴} Sec. 15 Twp. 98 Range 53

NO. FT.	DIA.	RATE	CASING	TOTAL
<u>120</u>	<u>4 3/4"</u>	<u>\$3.50</u>	<u>---</u>	<u>\$420.00</u>
		<u>other test hole</u>		<u>560.00</u>
				<u>980.00</u>
			<u>4% tax</u>	<u>39.20</u>

BALANCE DUE:

\$1019.20

0 ft. to 3 ft. Topsoil
3 ft. to 20 ft. Red Sand + Gravel
20 ft. to 30 ft. Grey sand + Gravel
30 ft. to 55 ft. Grey clay
55 ft. to 60 ft. Shalestone
60 ft. to 80 ft. Fine Grey Sand w/ some clay
80 ft. to 110 ft. Coarse Grey Sand
110 ft. to 120 ft. Grey clay
 ft. to ft.

STATIC WATER LEVEL ft.

REMARKS: 30' of real clean mineral - suggest
20' of 1/2" slot stainless steel screen

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 10", Depth 110'
- (2) Casing, Type plastic (wood, concrete, steel, etc) Diameter 1 1/4" Thickness 3/8"
- (3) Perforated Screen.
Type stainless steel, Diameter 1 1/4", Length 20'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 100'

E. Dugout Information or Estimates

- (1) Surface Line of Dugout 1/2", Depth

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

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

Character of Water bearing materials log attached

Depth to top of water bearing material

Depth to bottom of water bearing material

Thickness of water bearing material

Depth to water (ground surface to water level)

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

On same owner's property 10 rds. On property owned by others 80 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

n/a

T. J. Mahoney
Signature of Applicant

2/79

Ted Neuhauer System #2

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Ted Neuhauer OWNERS ADDRESS: Harley, S. D. 57036
COUNTY LAND LOCATED IN: Turner PHONE: 238-5712
TENANT'S NAME AND ADDRESS: (If Other Than Owner) Same 2594-TA

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.
This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: SE 15-98-53
 2. SURFACE WATER SOURCE n/a
 3. LOCATION OF AREA TO BE IRRIGATED: SE 15-98-53
 4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
- TYPE OF IRRIGATION: (Show approximate acres under each type of system)
5. GRAVITY TOWLINE CENTER PIVOT x GUN OTHER (Specify)
 6. CROPS TO BE IRRIGATED Corn, Soybeans
 7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: none
IN WHAT NAME:

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: 80-714
9. SALINITY (EC x 10⁶) 1494
10. SODIUM (SAR) 0.45 ADJUSTED (SAR) 1.20

RECEIVED

SEP 19 1980

South Dakota

Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 8:45 A.M. APX, on 8-29-80, 1980, at the following location: SE 15-98-53 by Ted Neuhauer (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
29 DAY OF Aug, 1980.

(NOTARY PUBLIC)

RECEIVED

SEP 19 1980

South Dakota
Division of Conservation

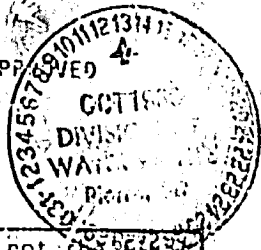
APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

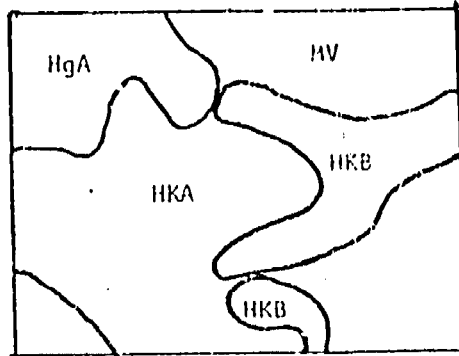


IMPORTANT

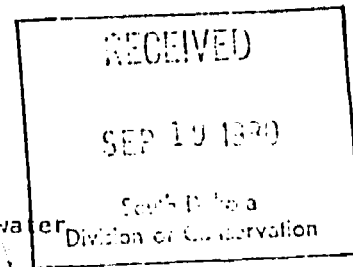
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Right Commission.

E X A M P L E



- HgA - Highmore - DeGrey silt loams - 0-2% slopes
DeGrey soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.
- HKA - Highmore - Eakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.
- HKB - Highmore - Eakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.
- Mv - Munjor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.



Residents of counties with published or up-to-date soil surveys shall contact their local Conservation District for a copy of the soils map for the area to be irrigated and the narrative explanation of the map.

Residents of counties with no up-to-date soil survey information shall contact the Soil Conservation Service or their local Conservation District to obtain the best information available. If soil survey information is not available, the applicant is requested to obtain this information from a private consultant or professional soil classifier.

NOTE: If at all possible, provide information concerning subsoil physical conditions.

MAP

PLEASE READ LEGAL DESCRIPTION #1 THROUGH #4 ON FRONT SHEET BEFORE COMPLETING THIS SECTION.

	De A.
--	---

PLEASE USE BACK OF THIS SHEET FOR NARRATIVE
OR ATTACH SEPARATE SHEET

South Dakota State University
Brookings, South Dakota 57007

Submitted by: **Ted Neuhauser**

Address: **Hurley, SD 57036**

Date Rec'd: **September 2, 1980**

Sample No.: **80-714**

Identification: **Well-**

Sec. 15, T. 98N, R. 53W

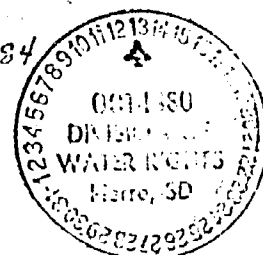
WATER ANALYSIS

Calcium (Ca)	196	ppm*	9.80	me/l**
Magnesium (Mg)	70	ppm	5.71	me/l
Sodium (Na)	29	ppm	1.26	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	480	ppm	9.98	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	11	ppm	0.32	me/l
Bicarbonate (HCO ₃)	346	ppm	5.68	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g-p.g.***
Alkalinity (Methyl Orange)	284	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1494	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.45	Adjusted SAR	1.20	.84
Sodium	7.45	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.42			
Others:				

*ppm=parts per million

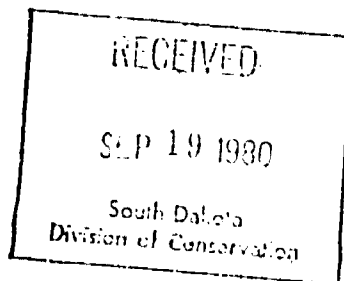
**me/l=millequivalents per liter

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



COMMENTS:

Total cations 16.87 me/l
Total anions 15.98 me/l



By: **Shirley Mittan**

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. **80-714**

Amount Enclosed \$

Signed

Hurley, SD

Turner County

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Ed. Lehman

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED unless surface is sloped to prevent water ponding.

Ce Clamo Clay (on south side and Southwest side)



RECOMMENDED MANAGEMENT:

Surface drainage suggested on Clamo Clay areas.
The water requirements of corn and soybeans on your predominant soils will
more than the heavier soils can naturally absorb; therefore ponding and/or
runoff will normally occur. Waterlogging will naturally occur on the heavier
soils unless soil slopes are provided towards the dry pivot corner.
Automatic turnoff of the outer one or two towers on the southeast quadrant
may be a worthwhile investment. The same may be true on the northeast corner,
as no water tends to pond.

No. 4560-3

Publish first publication, on or before October 30, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 17, 1980

Notice is hereby given that Ted Neuhauser whose post office

address is Hurley, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from groundwater

(one well) through the Neuhauser #2, the point(s) of diversion of which is (are) to be located in the NE 1/4 SE 1/4

of Section 15, Twp. 98 N, Range 53 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, Section 15 - T98N - R53W

This Application No. 4560-3 will be considered by the Water Management Board at the Carl Mundt Library, Dakota State College, Madison, South Dakota

upon the 19th day of November 1980 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Ted Neuhauser
Hurley, SD 57036

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

No. 4560-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss

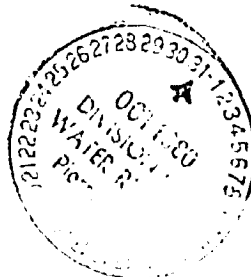
I, James E. Wipf hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hurley Leader

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 Hurley

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

Thursday, October 23, 1980
Thursday, October 30, 1980

James E. Wipf
(Signature)
publisher, Owner
(Title)
10 - 30 - 80
(Date Signed)



James E. Wipf

My Comm. Exp. 12/31/81

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

No. 4560-3
Pierre, S. D. 57036
October 17, 1980

Notice is hereby given that
Ted Neuhauser whose post of-
fice address is Hurley, South
Dakota, has made an ap-
plication in accordance with
the provisions of SDCL 46-1-1
thru 46-1-9, 46-1-14; 46-2-9 thru
46-2-11, 46-2-13; 46-5-1 thru 46-
5-8; 46-5-10 thru 46-5-22, 46-5-
41; 46-6-3, 46-6-3.1, 46-6-5, 46-
6-6.1, 46-6-10, 46-6-14 and
Board Rules ARSD
52:01:01:01 thru 52:01:01:03,
for a permit to appropriate for
beneficial use 2.28 cubic feet of
water per second of time from
groundwater (one well) through
the Neuhauser No. 2, the point
of diversion of which is to be
located in the NE¼SE¼ of
Section 15, Twp. 98N, Range
53W. Said water to be used for
the purpose of providing
irrigation on portions of the
following described land:

SE¼, Section 15, T98N,
R53W.

This Application No. 4560-3
will be considered by the Water
Management Board at the Carl
Mundt Library, Dakota State
College, Madison, South
Dakota upon the 19th day of
November, 1980, at 10:00 A.M.
The Board is authorized to
make a determination on this
application at the hearing. All
interested persons may appear
and be heard. Any person who
may be affected by a Board
decision who desires to present
evidence or cross-examine wit-
nesses according to SDCL 1-26
may notify the Board in
writing prior to the hearing or
orally at the hearing.

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

Any handicapped person
wishing to attend this hearing
contact the Water Rights

Chief Engineer, Executive Officer
JOHN HAYDON / DT



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Hurley
Date May 20, 1981

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4560-3

Water Right Permit No. 4560-3 states that the diversion system is to be constructed by May 20, 81 ^{Nov 1st, 81}, and that the water is put to beneficial use by May 20, 81 ^{Nov 1st, 81}

The diversion system was completed on May 20, 81. Applying the water to beneficial use was completed on May 20, 81

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Ted Neukirch
(Signature)

#345-3

#4560-3

SOUTH DAKOTA Department of Water & Natural Resources

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

February 17, 1989

Ted H. Neuhauser

Hurley, SD 57036

Dear Mr. Neuhauser:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

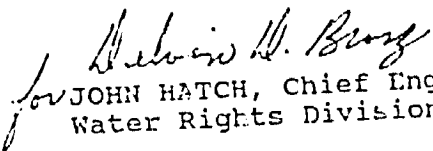


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division

GRIMSHAW DRILLING CO.

4560-3

P.O. BOX 81
CHESTER, S.D. 57016LARRY WOLD
(605) 489-2182DRILLING
LOGJAY VAN LIERE
(605) 489-2427Name TED NEUHAUER Date 7-23-80Address Hurley SDCounty Turner ^{SE 1/4} Sec. 15 Twp. 98 Range 53

NO FT	DIA.	RATE	CASING	TOTAL
<u>120'</u>	<u>4 3/4"</u>	<u>\$3.50</u>	<u>—</u>	<u>\$420.00</u>
		<u>other test hole</u>		<u>560.00</u>
				<u>980.00</u>
			<u>7% TAX</u>	<u>39.20</u>

BALANCE DUE:

\$1019.20

0 ft. to 3 ft. Topsoil

3 ft. to 22 ft. Red Sand & Gravel

20 ft. to 30 ft. Grey sand & Gravel

30 ft. to 55 ft. Grey clay

55 ft. to 60 ft. Shalestone

60 ft. to 80 ft. Fine Grey Sand & some clay

80 ft. to 110 ft. Coarse Grey Sand

110 ft. to 120 ft. Grey clay

 ft. to ft.

STATIC WATER LEVEL ft.REMARKS: 30' of real clean material - suggest
20' of 1000' slot stainless steel screen

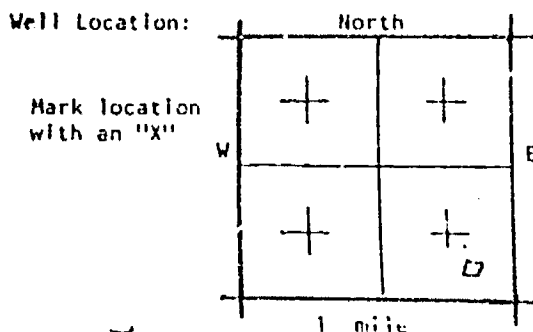
PLEASE COMPLETE
ENTIRE FORM

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

6/60

4560-3

Well Owner: Ted Newkover
Address RR Hurley



County Turner
E. 15 E Sec. 15 Twp. 18 Rg. 53

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 18"
Depth 104 ft
Casing ☐ Steel ☐ Concrete
☒ Plastic ☐ Other
If other, specify _____

Was casing end left open no
Was a well screen installed yes
Describe Well Screen
Diameter 16" Material Plastic
Slot size 80
Was well gravel packed yes
Was well grouted yes
Was water sample taken yes

Remarks:

Water Level Information:
Static water level 15 ft below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM
Controlled by:
☐ Valve ☐ Reducers ☐ Other
If other; specify _____

Well Test Data:

☒ Pumped
☐ Bailed Describe: _____
☐ Other _____

Pumping Level Below Land Surface
98 ft. After 6 Hrs. pumped 800 GPM
_____ " " _____ " " _____ "

Well Log:

Formation	From	To
Top Soil	2 ft	2 ft
Sand & gravel	2 ft	10 ft
Blue Clay	10 ft	104 ft

(Use Back if Necessary)

Date Completed: 12 26 1980

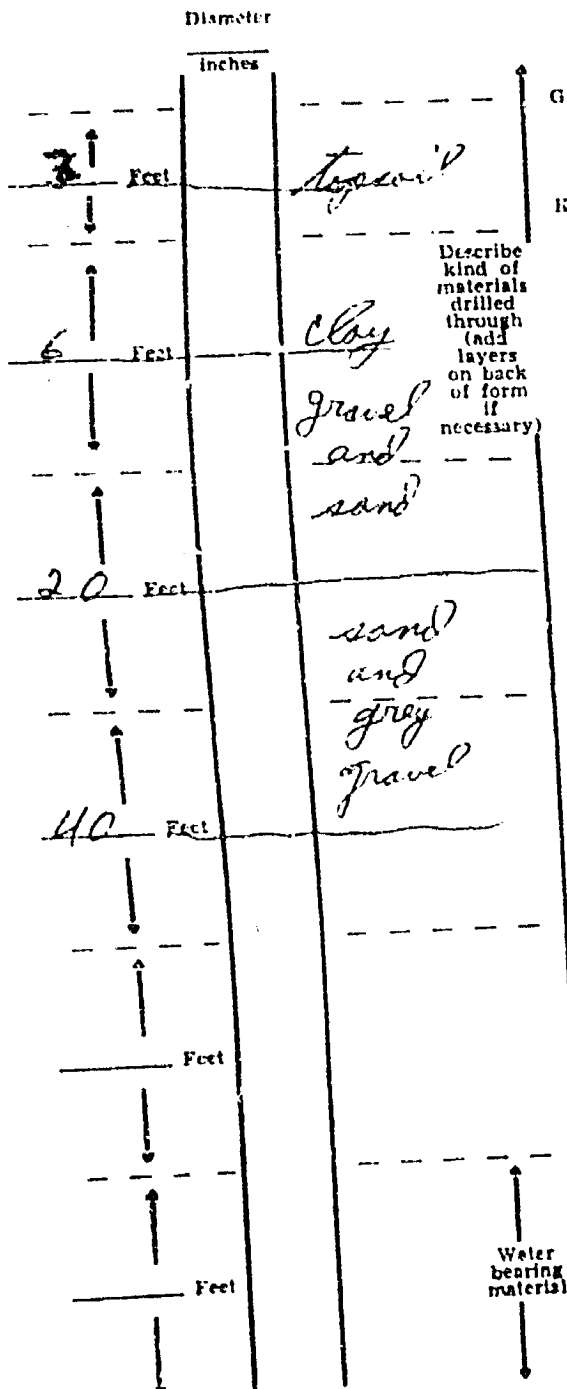
Driller: John R. Williams 372
Driller's or Firm's Name License NO.

John R. Williams
Address

7. Lloyd Rd. B. 1000 12 26 80
Signed By Date

Well to be drilled for O. H. Newbauer (Name) Quincy, S.D. (Address)
 Owner of land (if other than above) O. H. Newbauer (Name) Quincy, S.D. (Address)
 Date well drilling started Feb 11 - 57 finished Feb 13 - 57
 Purpose of well irrigation (domestic, irrigation, municipal, industrial, other)

4560-3



Ground Surface Elevation: (If Available)

Kind and thickness of casing to be installed:

14 gauge galvanized steel
"Domestic"

Size of casing to be installed:

40 feet of 20 inches diameter
 feet of inches diameter
 feet of inches diameter

Type of seal between casing sizes:

gravel pack

Kind of perforated screen to be installed:

Material steel
 (steel, wood, concrete, etc.)

Size of screen:

Diameter 20 inches
 Length 21 feet
 Size openings 3/6 inches

Depth below ground surface to which water rises

in well 8 feet.

Quincy, S.D.

Permit No. 4560-3Vermillion River Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by Ted Neuhauser of Box 175 Hurley, SD 57036 holder of Permit No. 4560-3, bearing the priority of September 2, 1980 authorizing the diversion of 2.28 cu. ft. per second of the waters of Upper Vermillion - Missouri Aquifer for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

One well - 104' deep with 104' of 18" plastic casing which includes an unknown length of 16" plastic screen, Valley pump, 3 stages, 12", 900 GPM @ 60PSI, US Electric Motor, Serial No. 43551, 60 HP

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

10' of cast iron and 1050' of 8" PVC pipe

C. Works used to apply water to beneficial use:

Valley Electric Corner System Center Pivot, 8 towers, 1300' long with end gun, low pressure, 800 GPM

The system is in the following condition good. The point of diversion is located 148'W and 1340'N of the SE corner of Section 15-T98N-R53W. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for

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

All in Section 15-T98N-R53W:

NW1/4 SE1/4 = 38 acres

NE1/4 SE1/4 = 38 acres

SW NE1/4 SE1/4 = 38 acres

SE1/4 SE1/4 = 38 acres

comprising a total of 152 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date 5/4/93

Gregory C. Johnston

Gregory C. Johnston
Natural Resources Engineer II
DENR, Water Rights Division

DATE 5/4/93REPORT ON INSPECTION OF PERMIT NUMBER 4560-3DIVERSION POINT LEGAL LOCATION: 148'W and 1340'N of the SE corner of Section 15-T98N-R53WWELL INFORMATION: Well Drilling Firm SchimelfenigNo. of Wells 1 Depth(s) 104a) Casing: 1) diameter 18 inches2) length 104 feet3) type plastic

c) Pump

b) Screen: 1) type 16" plastic2) length unknown feet1) make Valley2) model 12HHE-2A3) size 12 inches4) capacity 900 GPM5) turbine pump - No. of stages 36) operating pressure 50 PSId) Static Water Level 15 feet

e) Motor:

1) make US Electric2) model No. 43551 (Serial No.)3) horsepower rating 60 hp

DISTRIBUTION LINES OR CANALS:

a) type Cast Iron/PVC b) size 10/8 inches c) length 10/1050 feet

System Type:

a) Center pivot:

1) make Valley Electric Corner System2) overall length 1300 feet3) number of towers 84) distance between towers 160 feet5) end gun Y (Y/N)6) high or low pressure Low7) capacity 800 GPM

CHEMIGATION EQUIPMENT:

b) main line check valve Y (Y/N)d) low pressure drain Y (Y/N)f) interloc: type Electrich) injection check valve Y (Y/N)a) does chemigate Y (Y/N)c) inspection port/air relief Y (Y/N)e) discharge is 20' from source Y (Y/N)g) injection pump type piston (make unknown)

i) injection line check valve or positive

displacement pump Y (Y/N)j) all chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y (Y/N)

k) comments :

PERMIT QUALIFICATIONS AND REGULATIONS:

a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)b) Special qualifications to permit being abided by Y (Y/N)c) All structures, wells and lands on map Y (Y/N)d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)



4560-3

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

July 7, 1993

4560-3
5650-3

Ted Neuhauser
Box 175
Hurley, SD 57036

Dear Mr. Neuhauser:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 4560-3 and 5650-3, has been completed. Your final water right document, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license, a total of \$100.00 for the inspection and issuance of the Water Licenses. Upon receipt of the \$100.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4560-3
413828

Pierre, _____ July 14, 19 93

RECEIVED OF Ted Neuhauer, Box 175, Hurley, SD 57056

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4560-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch / [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4560-3

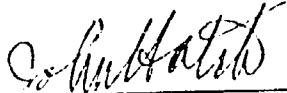
(1) Ted Neuhauer, of Box 175, Hurley, SD 57036 made Application No. 4560-3, September 2, 1980 for a water permit to appropriate 2.28 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 4560-3, with a priority date of September 2, 1980 was approved November 19, 1980 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 19, 1982 and for the application to beneficial use of said water on or before November 19, 1985.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 148 feet W and 1340 feet N of the SE corner of Section 15, T98N, R53W (NE $\frac{1}{4}$ SE $\frac{1}{4}$).

(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:

T98N, R53W	Section 15	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres
		Total	152 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ted Neuhauer of Box 175, Hurley, SD 57036 the holder and/or owner of Water Permit No. 4560-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of September 2, 1980 from the location specified in (2) of this license. The water 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 Water Permit No. 4560-3 and subject to South Dakota State Law.


SEP 17 1993

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



4560-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 17 1993

4560-3
5650-3

Ted Neuhauser
Box 175
Hurley, SD 57036

Dear Mr. Neuhauser:

Enclosed are Water License Nos. 4560-3 and 5650-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 413828 and 413829 in the amount of \$50.00 each which you paid for the inspection and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right Nos. 4560-3 and 5650-3, 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 Licenses, 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

gm
enclosures

4560-3



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

February 16, 1994

TED H NEUHAUER
BOX 175
HURLEY SD 57036

NOTICE

RE: Violation of Water Permit No(s) 345-3, 4560-3 & 5650-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 345-3, 4560-3 & 5650-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 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) 345-3 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) 4560-3 & 5650-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4560-3 & 5650-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 345-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda

Very truly yours,

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

4560-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

NOTICE

TO: TED H NEUHAUER
BOX 175
HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 4560-3

The first notice to file chemigation report(s) for Permit No(s) 4560-3 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 4560-3. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the water Management Board can:

1. Suspend or cancel Permit No(s). 4560-3 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. Prior to April 1, 1994, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



4560-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 1994

345-3

4560-3

5650-3

Ted H Neuhauer
Box 175
Hurley, SD 57036

Dear Mr. Neuhauer:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 345-3, 4560-3 & 5650-3 and 1993 Irrigation Questionnaire Requirements and also the Notice of Failure to Report Chemical Use under Water Permit No. 4560-3.**

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

If you have any questions, please contact me.

Sincerely,

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



4560-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 13, 1998

345-3
4560-3

Duane Haase
28740 452nd Ave
Parker, SD 57053

Dear Mr. Haase:

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with Water Right Nos. 345-3 and 4560-3. I have included copies of the water rights for your records.

Please review the forms for accuracy and make any necessary corrections. You will need to fill in the portion titled "to be transferred to: (name & address)". Upon completion, please sign the forms in the presence of a notary and return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

If you have any questions concerning the enclosed copies or with completion of the transfer forms, please get in touch with me.

Sincerely,

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

encl



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1998

SECOND NOTICE

Permit Nos. 345-3

4560-3

Duane Haase
28740 452nd Ave.
Parker, SD 57053

Dear Mr. Haase:

On March 13, 1998, notice was sent to you concerning the transfer of Water Right Nos. 345-3 and 4560-3 in the name of Ted Neuhauser (estate). To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 per transfer (\$5.00 total). The Water Rights can then be transferred to your name. If you are not the present owner of the land covered under these Water Rights, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Cheryl Frost, (605) 773-3352.

Very truly yours,

RON DUVALL
Natural Resources Engineer
For John Hatch, Chief Engineer
Water Rights Program

enclosure



January 22, 1999

4560-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: TED H NEUHAUER (ESTATE), JOHN OVERBY, PO BOX 308, HURLEY, SD 57036 0308
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 4560-3 & 5650-3, 345-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 345-3 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) 4560-3 & 5650-3 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 3, 1999 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 hearing; 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) 4560-3 & 5650-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 345-3 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, 1999, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: TED H NEUHAUER (ESTATE), JOHN OVERBY PO BOX 308, HURLEY SD 57036

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

RE: Requirement to Report 1998 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 4560-3 & 5650-3 was dated October 16, 1998. Our records indicate that we have not received your 1998 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1998 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 am, March 3, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 4560-3 & 5650-3 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. Prior to March 3, 1999, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 1, 1999 you will no longer be in violation and your name will be deleted from the Board agenda.

4560-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

TED H NEUHAUER (ESTATE)
JOHN OVERBY
PO BOX 308
HURLEY SD 57036 0308

4a. Article Number

P 378-080 741

4b. Service Type

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

7. Date of Delivery

JAN 28 1999

5. Received By: (Print Name)

JOHN OVERBY

6. Signature: (Addressee or Agent)

[Signature]

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

PS Form 3811, December 1994

102595 98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 1999

345-3
4560-3
5650-3
5818-3

Duane Haase
27840 452nd Ave
Parker, SD 57053

Dear Mr. Haase:

Thank you for your telephone call of February 8th. During your phone conversation with Ken Buhler, you requested additional irrigation questionnaires and transfer forms.

Enclosed are the following:

- Transfer of ownership forms for Water Right Nos. 345-3, 4560-3 & 5650-3
- 1998 Irrigation Questionnaires for Water Right Nos. 345-3, 4560-3, 5650-3 (Ted Neuhauser Estate) & 5818-3 (Steve Horning)
- 1998 Chemical Reporting forms for Water Right Nos. 4560-3 & 5650-3

Please review the transfer forms and complete as needed. Upon completion, please sign them in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$7.50).

With regard to the irrigation questionnaires and chemical reporting forms, please complete those and return them no later than March 1, 1999.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4560-3



Date: 2-23-99

I/We request that Water Right No. 4560-3

formerly owned by: Ted Neuhauser Estate

be transferred to: (name & address)

Shane Hase
Parker S.D.

27840 452nd Ave
57053

Telephone No. 605-297-4125

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

152 acres in the SE 1/4 Section 15, T98N, R53W

I/We understand that the validity of Water Right No. 4560-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Turner)

I/We Shane Hase being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Shane Hase
(Signed)

Subscribed and sworn to before me this 23rd day of Feb, 19 99.

[Signature]
(Notary Public)

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

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

Water Rights Program

South Dakota Department of Environment and Natural Resources

Pierre,

February 25

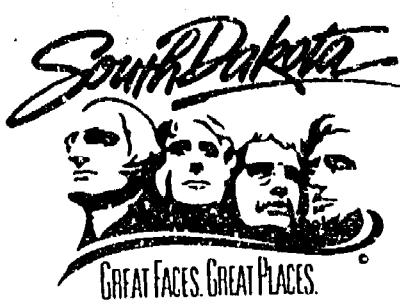
RECEIVED OF Duane Haase, 27840 452nd Ave., Parker, SD 57053
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 4560-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 1999

345-3
4560-3
5650-3
5818-3

Duane Haase
27840 452nd Ave
Parker, SD 57053

Dear Mr. Haase:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires and chemical reporting forms. You may disregard the January 22, 1999, "Notices" concerning reporting requirements for Water Right/Permit Nos. 345-3, 4560-3 and 5818-3.

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

We also have received the transfer forms you submitted for transferring Water Right Nos. 345-3 and 4560-3, formerly owned by Ted Neuhauser. The transfers have been completed and the water rights are now listed in your name. Enclosed are your Receipt Nos. 416052 and 416053 in the amounts of \$2.50 each.

Previously, I forwarded you an irrigation questionnaire and a transfer form for Water Right No. 5650-3, also listed in the name of Ted Neuhauser. I spoke with Mrs. Haase yesterday and she indicated you did not own the land described in Water Right No. 5650-3. She indicated you were going to give the transfer form and questionnaire to the new owner. Thank you in advance for your assistance.

If you have any questions, please contact me.

Sincerely,

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

enclosures

~~11-22-55~~

NOT TO SCALE



94.3

52.3

T-1102

No. 4560-3

TED NEUHAUER

Drawn by:

Gregory C. Johnston

~~Gregory C. Johnston~~

Natural Resources Engineer II

Water Rights Division, DENR

6/7/93

↑ N
1"=665'

152.4

12-L

T-1148

All in Section 15-T98N-R53W.

NW $\frac{1}{4}$ SE $\frac{1}{4}$ = 38 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ = 38 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ = 38 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ = 38 acres

152 acres total

1148

15

1148

295.5

T-1108

Center Pivot
moved west



System no longer
irrigates any
land in SE $\frac{1}{4}$

NW $\frac{1}{4}$ SE $\frac{1}{4}$ =
38 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ =
38 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ =
38 acres

Center Pivot
w/ corner system Well
SE $\frac{1}{4}$ NE $\frac{1}{4}$ =
38 acres

Railroad Grade removed

1340'

1148

98-53

10.2

71.6

T-1073

↑ Road

71.6

12-L

T-1124

4560-3



4560-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2006

345-3
4560-3

Duane Haase
PO Box 306
Parker SD 57053-0306

Dear Mr. Haase:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to 27840 452nd Ave, Parker SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

I Dustin Haase are farming these four
well permits in the next year - so send
me the permits.

Dustin Haase
27521 449 Ave
Parker, SD 57053

297-4190

RECEIVED

DEC - 4 2006

WATER RIGHTS
PROGRAM



480-53
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: DUSTIN HAASE, OPERATOR, 27521 449TH AVE, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 345-3 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) 4560-3 & 5818-3 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 11, 2009** 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) 4560-3 & 5818-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 345-3 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 questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

c: DUANE HAASE, PO BOX 306, PARKER SD 57053-0306

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2009

Dustin Haase
27521 449th Ave
Parker SD 57053

RE: 2008 Irrigation Questionnaires for Water Right Nos. 345-3, 4560-3, 4562-3 & 5818-3

Dear Mr. Haase:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 345-3, 4560-3, 4562-3 & 5818-3.

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
email: genny.mcmath@state.sd.us

c: Duane Haase
Lawrence Strawbridge

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 6166
Status: **Delivered**

Your item was delivered at 12:02 PM on January 27, 2009 in PARKER, SD 57053. The item was signed for by D HAASE.

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6166

DUANE HAASE
PO BOX 306
PARKER SD 57053-0306

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811
CHECK ONE (POSTAL USE ONLY)
☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 3823, May 2002 (See Instructions)