

1. Considered 5-1 1981
2. Name of Applicant DEAN A. DUFF
3. Post Office Address RED 2, BROOKINGS 57006
4. Amount of Water Claimed 4.57
5. Source of Water Supply 4 WELLS, #1-63', #2-54', #3-31' & #4-17'
6. Water to be used for IRR.
7. Acres to be irrigated 320 maximum acre feet
8. Water to be diverted and used in BROOKINGS County
about 7N, 1E miles of BROOKINGS
9. PROOF OF PUBLICATION Received 4-23-81

Not Received

APPLICATION

Approved 5-1-81

Subject to WI-TQ

No Approved

Action deferred

Priority

Date

Received 3-4-81 Application Complete (yes) no FEE 325⁰⁰

Remarks

WATER
QUALITY

Date information and/or
fee or corrected Application received

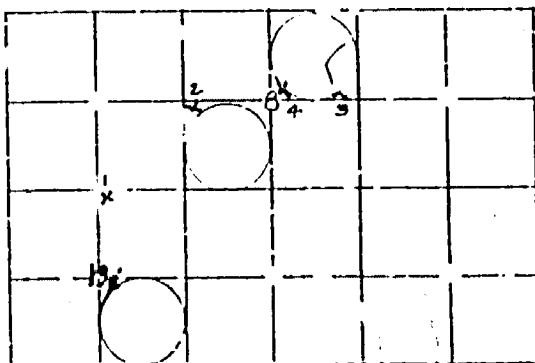
Period of Annual use APRIL - OCTOBER

Received yes 1/10/81 no (APPROVED) CONDITIONAL (Circle one)

WI-1 Description same as application (yes) no Remarks

Disapproved

Returned



Diversion Points

NW⁴ SE⁴ Section 18;

NW⁴ SW⁴; SW⁴ NE⁴ and

SE⁴ NE⁴ Section 8 all in T11N-

R49W

Lands to be Irrigated

NE⁴ & SW⁴ Section 8 and

SE⁴ Section 18 all in T11N-

R49W

WELL
LOG

Remarks

Driller Kansas Well Works Licensed (yes) no

Depth 63', 54', 31' & 17'

Type of Map Aerial Prepared by SCS

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 21-10-81 21-10-81

Bratslavsky
(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	_____
ETC.	was adopted _____

Remarks

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4697-3

DEAN A DUFF
(Applicant)

RT #2, BROOKINGS
(Post Office Address)

SOUTH DAKOTA 57006 With the following qualifications
(State)

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

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

Date of first receipt of application March 4, 19 81
Date of return to applicant for correction, amendments or changes required March 9, 19 81
Date of receipt of corrected application April 10, 19 81
Approved May 1, 19 81, Recorded in Book 22 Page 138

WATER RIGHT PERMIT NO. 4697-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4697-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is March 4, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 1, 19 83
3. The whole of said work is to be completed on or before May 1, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 1, 19 86
5. The water appropriated shall be used for the purpose of Irrigation
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 4.57 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 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 May 1, 19 86; said water to be used during the following described annual period: April - October

Witness my hand this 19th day of May, 19 81

THE WATER MANAGEMENT BOARD

By

John Hatch
Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

SECTION 17. DIFF

LAND DESCRIPTION

NW¹/₄, SE¹/₄, SEC 18, T111N, R49W) 33 ac

NE¹/₄, " " " " 30

SE¹/₄, " " " " 24

SW¹/₄, " " " " 33

120 ac

NW¹/₄, SW¹/₄, SEC 8, T111N, R49W) 38 ac

NE¹/₄, " " " " 38

SE¹/₄, " " " " 22

SW¹/₄, " " " " 22

120 ac

NW¹/₄, NE¹/₄, SEC 8, T111N, R49W) 30 ac

NE¹/₄, " " " " 20

SE¹/₄, " " " " 5

SW¹/₄, " " " " 25

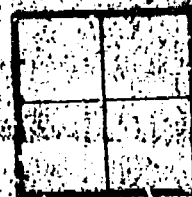
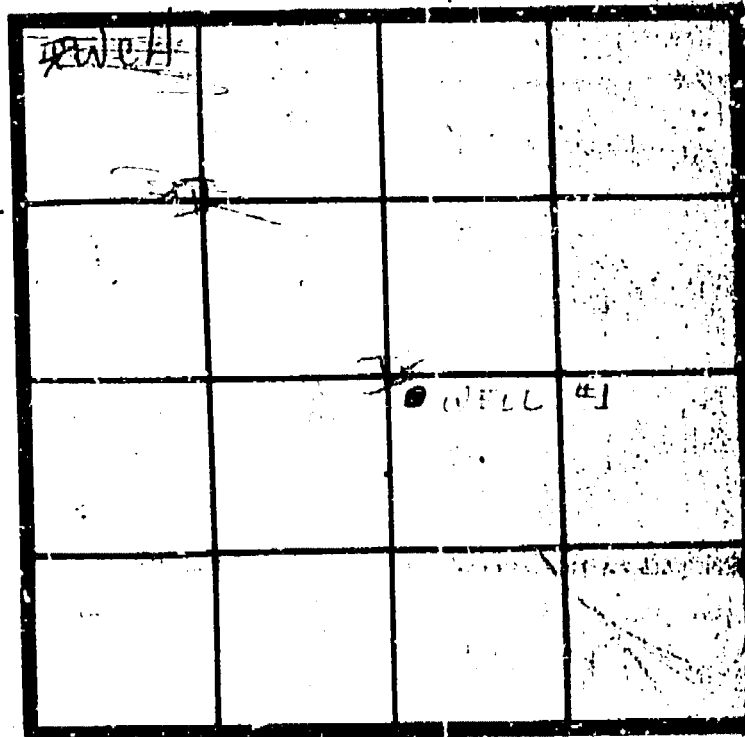
80 ac

**IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS** Ph. 854-3744

Location, _____

Township 41-49

Section 1.8



WELL #1 Data

7.0 50.1

0.1

Test hole No. 2

Date _____

yellow clay	1 - 5
gravel (dirt)	5 - 40
yellow clay	40 - 51
gravel clean	51 - 63
yellow clay	63 - 76
blue clay	76 - 80
<i>William H. Brown</i>	

Kaiser's Well Works De Smet, South Dakota 57231

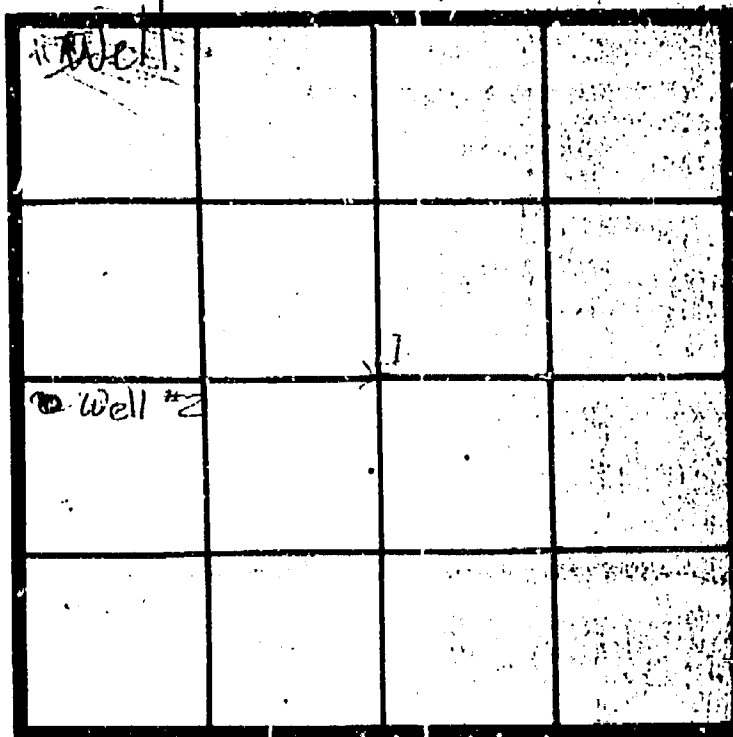
IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS Ph. 854-3744

Name Dean De Smet

Location _____

Township 111-49

Section 8 SW 1/4



Test hole No. 1

Data

top soil	0-1
yellow clay	1-3
gravel	3-25
Blue clay	25-60

Test hole No. 2

Well #2

Data

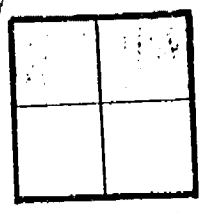
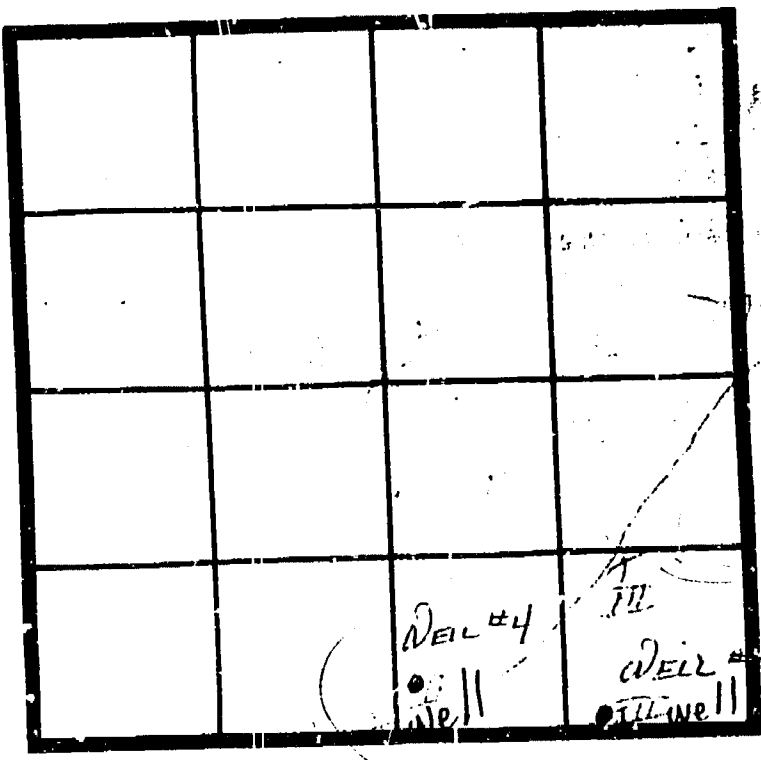
Topsoil	0-1
yellow clay	1-3
gravel (1/4")	3-5
yellow clay (1/4")	5-10
gravel	10-15
yellow clay	15-25

Driller: Small Iron Mine

Kaiser's Well Works De Smet, South Dakota 57231

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS Ph. 854-3744

Name Dean De Smet
Location _____
Township 111-49
Section 8 - NE 1/4



Test hole No. 1 WELL #4 Data

Topsoil	0-3'
loam	3-17'
loam	17-54'
yellow clay	54-60'

Test hole No. 2 WELL #3 Data

Topsoil	0-1'
yellow clay	1-3'
loam	3-31'
blue clay	31-55'
yellow clay sand	55-80'

D Well Information

(1) Drill Hole, Diameter 20 IN, Depth 63'
 (2) Casing, Type STEEL, Diameter 14 IN, Thickness -
 (3) Screen, Type STAINLESS, Diameter 14 IN, Length -
 (4) Gravel Pack, Thickness 3 IN, Length of gravel pack -

E. Dugout Information or Estimates

(1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

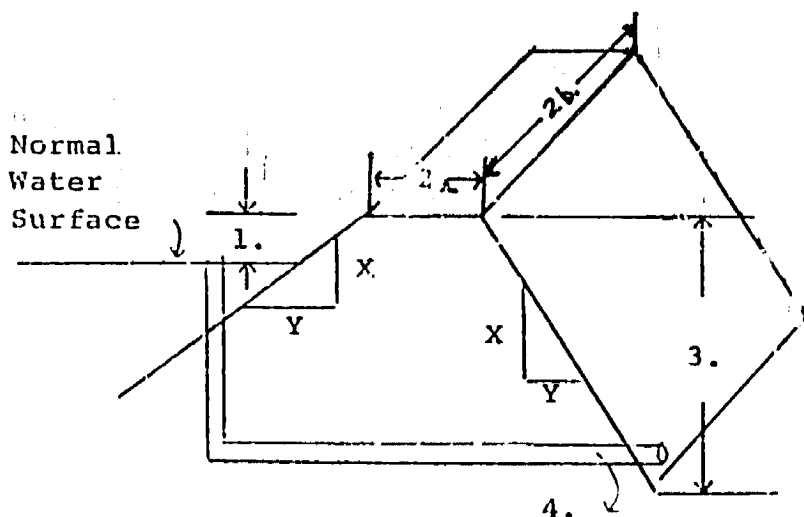
(2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ rds.

G Water Storage Dams

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



1. Freeboard _____
 2a Crest width _____ 2b length _____
 3. Height of Dam _____
 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
 X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

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

RECEIVED
4697-3
MAR 13 1981
South Dakota
Division of Conservation

OWNERS NAME: DEAN A. DUFF OWNERS ADDRESS: RR 2
COUNTY LAND LOCATED IN: BROOKINGS PHONE: 693-4177 BROOKINGS, SD
LEASANT'S NAME AND ADDRESS: (if Other Than Owner) _____

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: 4 WELLS - SEE SOILS MAP
2. SURFACE WATER SOURCE _____
3. LOCATION OF AREA TO BE IRRIGATED: SE 1/4, SEC 18; SW 1/4, SEC 2; NE 1/4, SEC 8, T44N, R49W
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 ☒ GUN _____ OTHER (Specify) _____
6. CROPS TO BE IRRIGATED CORN
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LAND: _____
IN WHAT NAME: _____

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

SAMPLE NUMBER:	81-173 (NE Sec. 8)	81-174 (NE Sec. 8)	81-175 (SW Sec. 8)	81-176 (SE Sec. 18)
1. SALINITY (EC X 10 ⁶)	660	700	240	620
10. SODIUM (SAR)	0.17	0.20	0.40	0.41
	0.18	0.18	0.28	0.32

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 _____ A.M./P.M., on FEBRUARY 24, 1981, at the following location: SEE ITEM #1

by _____ (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 _____ 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
25th DAY OF FEBRUARY, 1981.

Harold W. McEwen
(NOTARY PUBLIC)

Dean A. Duff
APPLICANT'S SIGNATURE

H. I. McEwen
Director, Division of Conservation

☒ APPROVED
☐ DISAPPROVED
☐ CONDITIONALLY APPROVED



IMPORTA . I

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 Rights Commission.

4697-3

Approved

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Dean A. Duff

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

THESE SOILS CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

The red hatch marks indicate drainage ways that should be left in permanent vegetation.

RECOMMENDED MANAGEMENT:

12

No. 4697-3

Publish first publication, on or before April 17, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that Dean A. Duff whose post office address is Brookings, 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 4.57 cubic feet of water per second of time from groundwater

(four wells) through the Duff Irrigation Project #1, the point(s) of diversion of which ~~XX~~(are) to be located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18; NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, all in

~~XXXXXXX~~, Twp. 111N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 8 and SE $\frac{1}{4}$, Section 18, all in T111N, R49W

This Application No. 4697-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 1st day of May 1981

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. 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 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: Dean A. Duff
RFD 2
Brookings, SD 57006

BETTY WESTLUND
Water Rights Specialist

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

Affidavit of Publication

State of South Dakota

County of Brookings

Dennis D. Koenders

of said county, being first duly sworn, on oath says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal No. 225

64 lines x .367

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for Two

successive week s., to wit:

.. April 17	19 81	19
.. April 24	19 81	19
.....	19	19
.....	19	19

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Twenty-three dollars and forty-eight cents

Subscribed and sworn to before me this 24th day of

April 1981

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires September 6, 1985

Exhibit "A"

Legal No. 225, April 17, 24
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981
Notice is hereby given that Dean A. Duff whose post office address is Brookings, 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 46-5-3; 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 4.57 cubic feet of water per second of time from groundwater (four wells) through the Duff Irrigation Project No. 1, the point(s) of diversion of which are to be located in the NW 1/4 SE 1/4, Section 18; NW 1/4 SW 1/4; SW 1/4 NE 1/4 and SE 1/4 NE 1/4, Section 8, all in Twp. 111N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4 and SW 1/4, Section 8 and SE 1/4, Section 12, all in T111N, R49W.

This Application No. 4637-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 1st day of May 1981 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. 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 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

-s-Betty Westlund

BETTY WESTLUND

Water Rights Specialist

cc: Dean A. Duff

RFD 2

Brookings, SD 57006

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8034

PIERRE,

March 4 1981

RECEIVED OF Dean A. Duff, RFD 2, Brookings, SD 57006

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

Fee for Application for Permit to Appropriation Water No. 4697-3 (examination, processing, recording and filing)	325	00
Fee for inspecting Construction, and Issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	325	00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH / ch



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

March 23, 1987

DEAN A DUFF
RR 2 BOX 76
BROOKINGS, SD 57006

NOTICE

Re: Violation of Water Permit No(s). 4697-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 4697-3. 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 hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4697-3 qualification:

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

The hearing(s) will be at 2:00 pm, May 6, 1987, 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 hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4697-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, 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 24, 1987

4697-3

Dean A Duff
RR #2 Box 76
Brookings, SD 57006

Dear Mr. Duff:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 4697-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 17, 1989

Dean A. Duff
 RR 2, Box 76
 Brookings, SD 57006

Dear Mr. Duff:

On October 6, 1988, the Water Management Board adopted rules to implement a 1983 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;

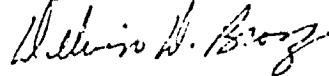


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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 (605-773-7152).

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

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

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

February 9, 1990

DEAN A DUFF
RR 2 BOX 76
BROOKINGS, SD 57006

NOTICE

RE: Violation of Water Permit No(s). 4697-3

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4697-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had 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). 4697-3 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 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

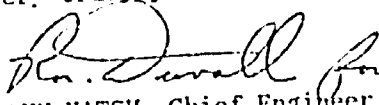
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4697-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 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

4697-3

Dean A Duff
RR 2, Box 76
Brookings SD 57006

Dear Mr. Duff:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 4697-3. 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.

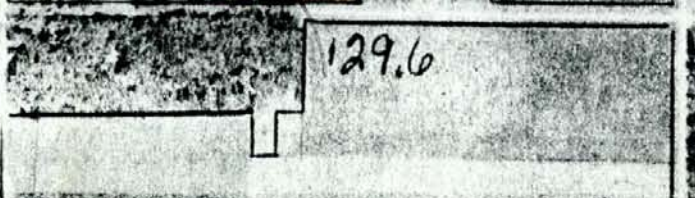
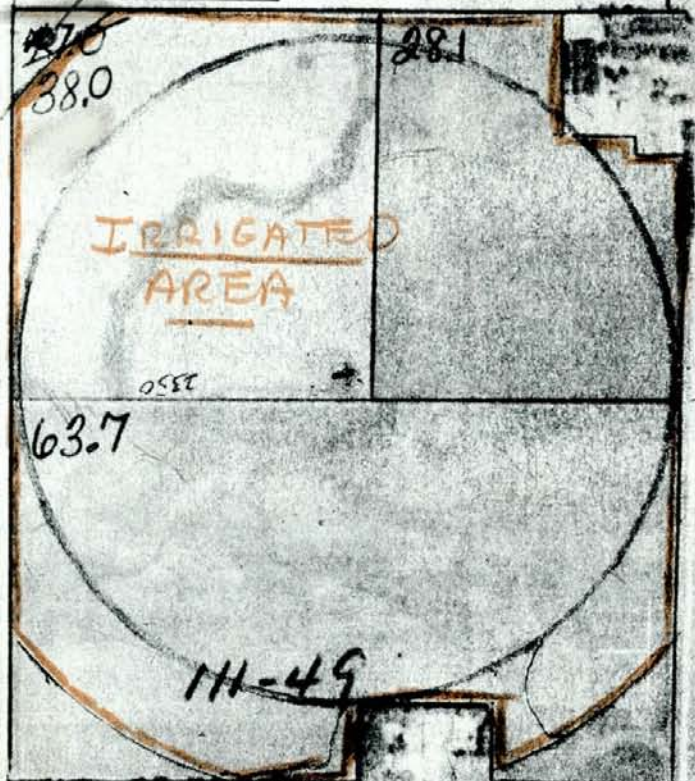
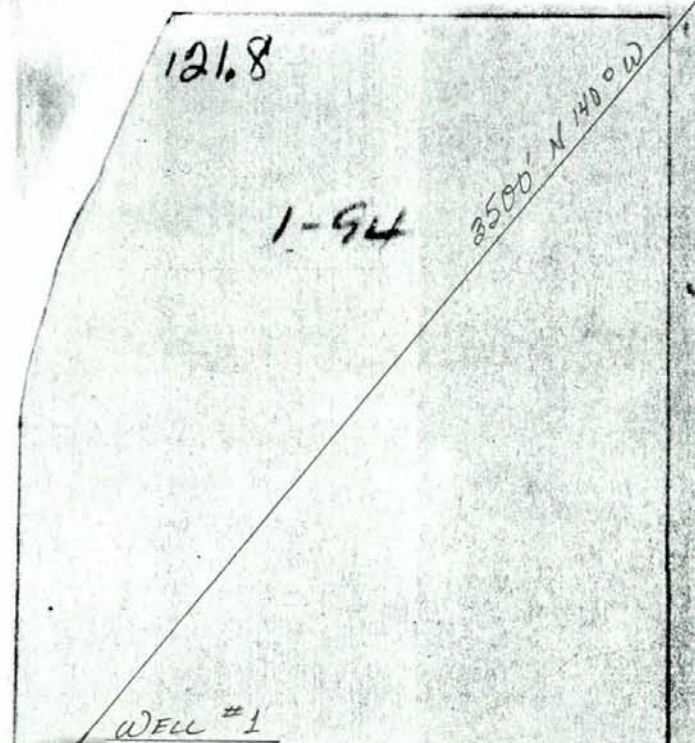
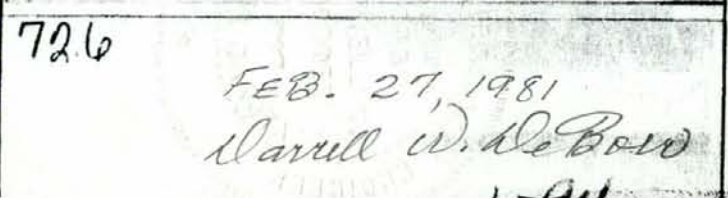
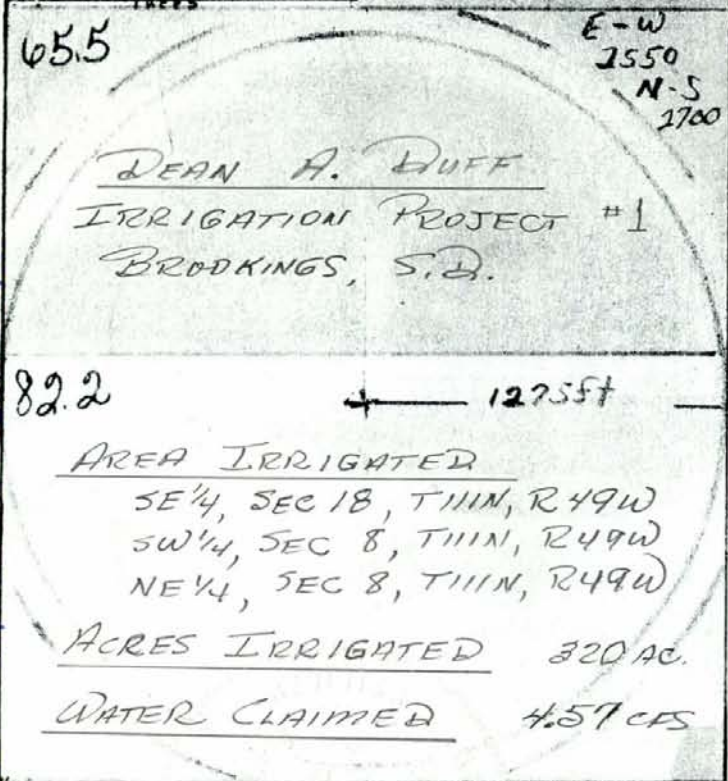
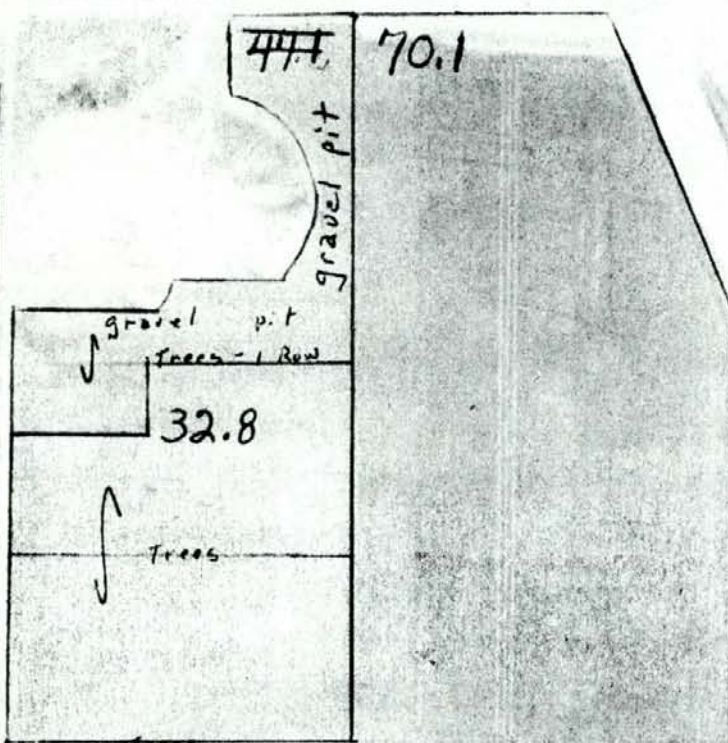
If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall *KS*
RON DUVALLE

Natural Resources Engineer
Water Rights Division

NOT TO SCALE



NOT TO SCALE

6.3

26.0

16.7

39.5

35.3 ⁸⁰

58.4

1175

1-59

1175

3370'
N 131° W

1175

6.6

4.1

WELL #3

12.71

WELL #2

0.092

1530

DEAN A. DUFF
IRRIGATION PROJECT #1
BROOKINGS, S.D.

+

CONTINUED

2840' N 156° W

7.6

10.2

111-49

FEB. 27, 1981

Warrell W. De Boer