

1. Considered: JULY 9, 1982 Water Right No. 4891-3
2. Name of Applicant PENRHOS FARMS INC.
3. Post Office Address % CURTIS JONES, BRITTON, SD 57430
4. Amount of Water Claimed _____ maximum acre feet STORAGE 300 ACFT
(140 AC FT EXISTING)
5. Source of Water Supply DRY DRAW
6. Water to be used for IRR acres to be irrigated NO ADD'L (281)
7. County MARSHALL about 5W, 4S miles _____ of BRITTON
8. PROOF OF PUBLICATION: Received 6/9/82 Not Received _____
- APPLICATION: Approved 6/9/82 Subject to LF-IQ
- Not Approved _____ Action Deferred _____

PRIORITY 4-28-82 Dated Received 4-28-82 Application complete yes no _____ FEE 150

Remarks Add'l diversion on Permit 3440-3

Corrected Application received _____ Period of Annual Use APR thru Oct.

WATER QUALITY Received yes no _____ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no _____ Remarks _____

Disapproved _____ Returned _____

Diversion Point _____

SW CORNER of the SW 4

Section 15-126N-57W

Land to be irrigated SW⁴, Section 17

SE⁴, Section 18 and

NE⁴ Section 19-all in T126N-R57W

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks Diversion Dike w/ 3-15" plastic tubes through

hill down road ditch and drainage to existing

dam on Permit 3440-3

MAP Map No. 4095-3 Map located in Water Right X Map file _____
 (See also 2720-3) Type of Map Sails Prepared by Winterlow

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

5-10-82

Deely Westlund
 (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 was
 DECISIONS adopted _____
 ETC. Remarks _____



No. 4891-3
 Map No. 4095-3 Water Division No. 3 JAMES RIVER District
 Above for Office Use 10160003

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following: For supplemental water for Water Right No. 3440-3

New ☐ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Penrhos Farms, Inc. Phone No. _____

Post Office Address Britton State South Dakota 57430

(Street, RR, or Box)

(Town)

(Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor

3. Name of diversion work Penrhos Diversion

4. Amount of water claimed (cubic feet per second) Storage of 300 Acre Ft. Total 140 AcFt existing

5. Source of water supply Dry Draw

6. Location of point of diversion S.W. Corner of the SW $\frac{1}{4}$ of Section 15, Township 126N., Range 57W

County Marshall

7. Annual period or periods during which water is to be used Spring & Summer APR. thru Oct

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 - No Add'l

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.
3440-3 <u>Same acreage</u>	
SW $\frac{1}{4}$ SEC 17-126N-57W	54.8
SE $\frac{1}{4}$ SEC 18-126N-57W	148.0
NE $\frac{1}{4}$ SEC 19-126N-57W	78.2

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system five years. Additional time required to complete application of water to the proposed beneficial use four years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Britton Journal

12. Principal Features of the Proposed Water Supply System.

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

Diversion Dyke with bypass culvert

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

Through 3 - 15" plastic tubes through hill, then down road ditch and drainage to dam existing on Water Right No. 3440-3

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
 County of Hughes)ss.

I, Curtis Jones 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 Penrhos Farms Inc.

By Curtis Jones

Subscribed and sworn to before me this 28th day of April, 19 82

Maxine Stirling

Notary Public (or other qualified officer)

Maxine Stirling, Staff Assistant
Division of Water Rights

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No.

4891-3

PENRHOS FARMS INC.

(Applicant)

% CURTIS JONES, BRITTON

(Post Office Address)

SOUTH DAKOTA 57430

(State)

With the following qualifications.

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.

This Permit authorizes storage of 300 acre feet of water annually (140 acre feet of storage existing under Permit No. 3440-3).

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

Date of first receipt of application April 28, 1982

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

Date of receipt of corrected application w/o May 10, 1982

Approved June 9, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4891-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4891-3 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 April 28, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before December 9, 1984
3. The whole of said work is to be completed on or before June 9, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is June 9, 1991
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 300 (140 acre feet existing) acre-feet annually 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 June 9, 1991; said water to be used during the following described annual period: April 1st thru October 31st

Witness my hand this 24th day of June, 1982

THE WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D. Well Information

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

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

- (1) Water Bearing Materials. (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.

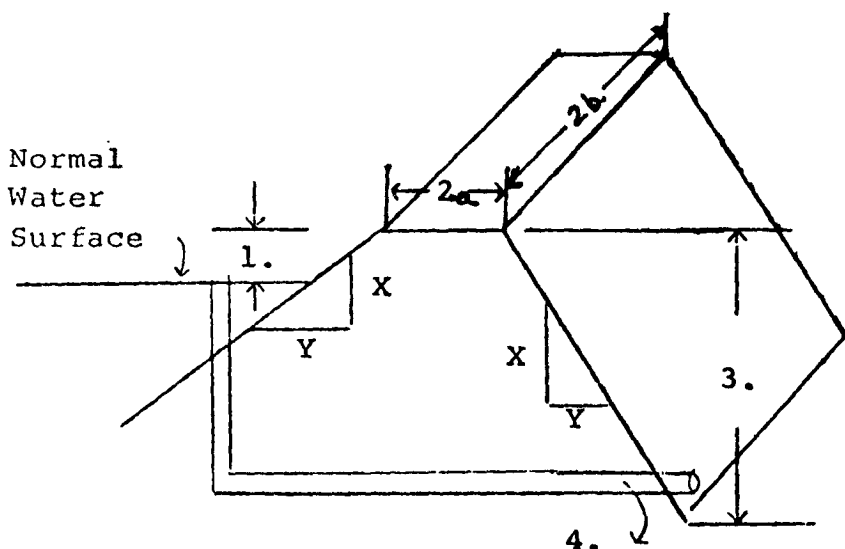
On same owner's property _____ rds.

On property owned by others _____ rds.

Nine foot high dike to divert water from draw. Water will be carried through 3 - 15" (1000') plastic pipes through hill then will flow gravity into dam. Will install 6" tube through bottom of dike to by-pass domestic water.

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.

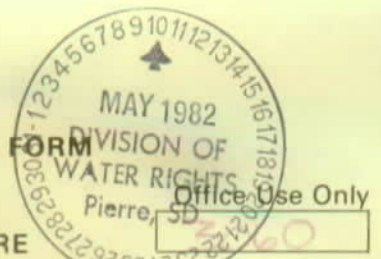


1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

Pinches Farm Inc.
Signature of Applicant
by Anita Jones

CONSERVATION COMMISSION
WI#1
9/81

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



OWNERS NAME: PENRHOS FARMS, INC OWNERS ADDRESS: BRITTON, SD
CURTIS JONES

COUNTY LAND LOCATED IN: MARSHALL PHONE: 448-5590 448-5509
05687

TENANT'S NAME AND ADDRESS: _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.

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

1. WELL LOCATION _____
2. SURFACE WATER SOURCE AND DIVERSION LOCATION: SW⁴SW⁴ SECTION 15, T126N, R57W

Legal Description	Acres	Legal Description	Acres
<u>SW⁴ SEC 17, T126N, R57W</u>	<u>54.8</u>	<u>} SAME LANDS ARE COVERED UNDER PERMIT N° 3440-3</u>	
<u>SE⁴ SEC 18</u>	<u>148.0</u>		
<u>NE⁴ SEC 19</u>	<u>78.2</u>		

Total = 281.0

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION: _____

IN WHAT NAME: _____

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: _____

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

7. WATER SAMPLE NUMBER: DRY DRAW THIS IS TO DIVERT WATER FROM ANOTHER DRAIN INTO EXISTING STORAGE DAMS
8. SALINITY (EC X 10⁶): _____
9. SODIUM (SAR): _____
10. ADJUSTED (SAR): _____

I hereby certify that I personally obtained or that I personally observed that 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 instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

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 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

28 DAY OF April, 1982.

Lois L. Ries
(NOTARY PUBLIC)

Curtis Jones
APPLICANT'S SIGNATURE

David M. Rydell
Director, Division of Conservation

IMPORTANT

LOIS L. RIES, Notary Public
My Commission Expires
February 3, 1985

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 Board of Water Management, Foss Building, Pierre.

APPROVED

DISAPPROVED
X_____
CONDITIONALLY APPROVED

No. 4891-3

Publish first publication, on or before May 19, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 12, 1982

Notice is hereby given Penrhos Farms, Inc. whose post office

address is c/o Curtis Jones, Britton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (ground) ~~46-5-3 thru 46-5-3, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35~~ and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) ~~74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use for storage of 300 acresfeet (140 adce feet existing) ~~cubic feet of water per second of time~~ from a dry draw

through the Penrhos Diversion to add an additional, the point (S) of diversion ^{which} is ~~(me)~~ to be located in the SW Corner of SW $\frac{1}{4}$ ^{on an existing permit}

of Section 15, Twp. 126N, Range 57W. Said water to be used for purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, Section 17, SE $\frac{1}{4}$, Section 18 and NE $\frac{1}{4}$, Section 19, all in T126N-R57W (lands covered
under Permit No. 3440-3)

This Application No. 4891-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD, upon the 9th day of June, 1982.

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 Circuit Court and the State Supreme Court as provided by law.

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

For the Water Management Board

cc: applicant
WNR-806-2/82

BETTY WESTLUND, Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8821

PIERRE, April 30, 1982, 19

RECEIVED OF Penrhos Farms, Inc., Curtis Jones, Britton, SD 57430

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

Fee for Application for Permit to Appropriate Water No. 4891-3 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By Chief Engineer, Executive Officer

Conditional

#3060

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Pearhos Farms Inc.LEGAL DESCRIPTION: SW $\frac{1}{4}$ 17; SE $\frac{1}{4}$ 18; NE $\frac{1}{4}$ 19; 126-57 = 281.0SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

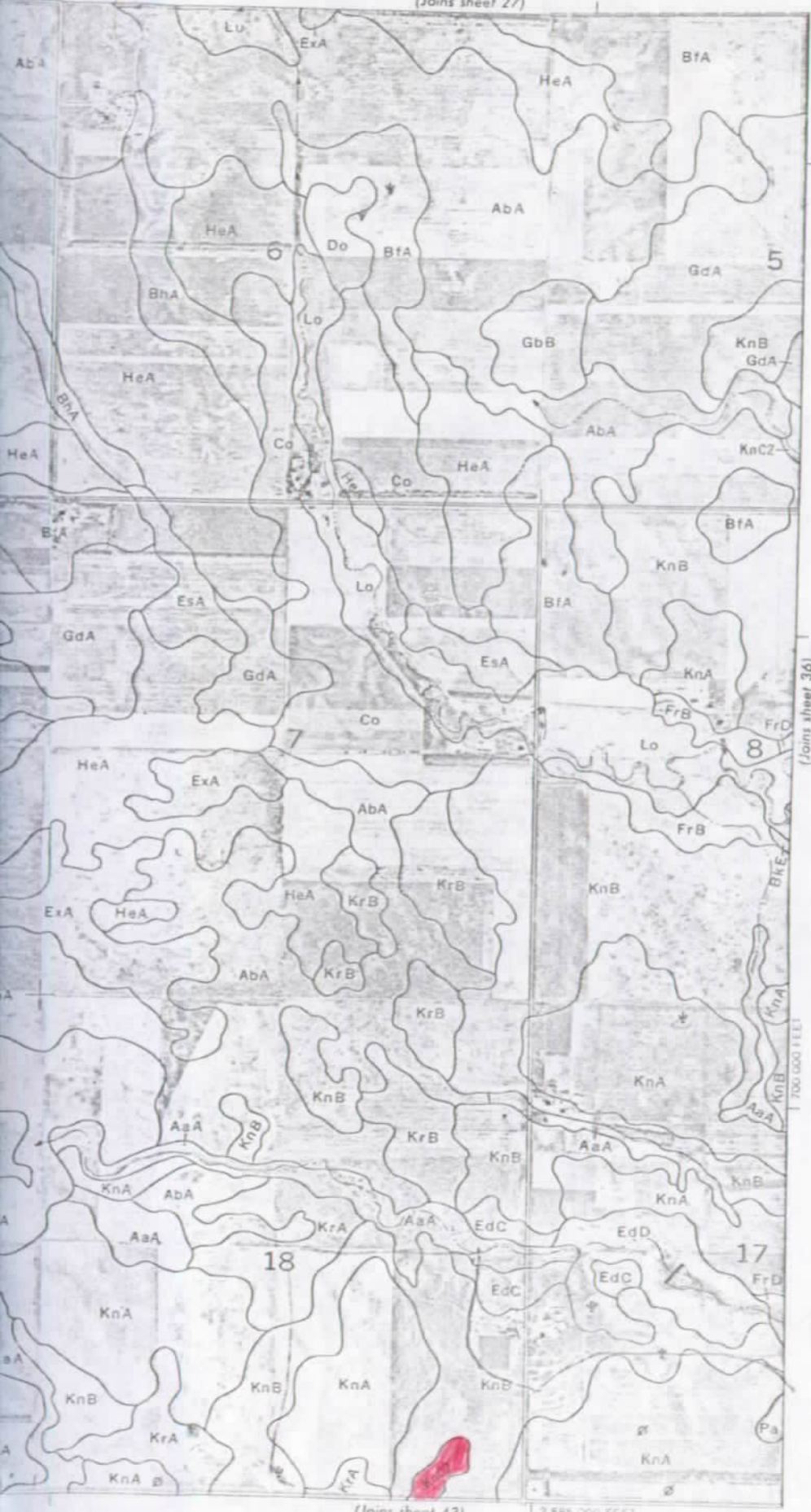
KmC2 - Kranzburg silt loam

PaC2 - Forman-Buse loams

These soils should be kept in permanent grass or a grass alfalfa mixture to prevent problems with erosion. These soils are indicated in red.

RECOMMENDED MANAGEMENT:T. J. H. J. H.
SIGNATURE5-6-60
DATE

(Joins sheet 27)



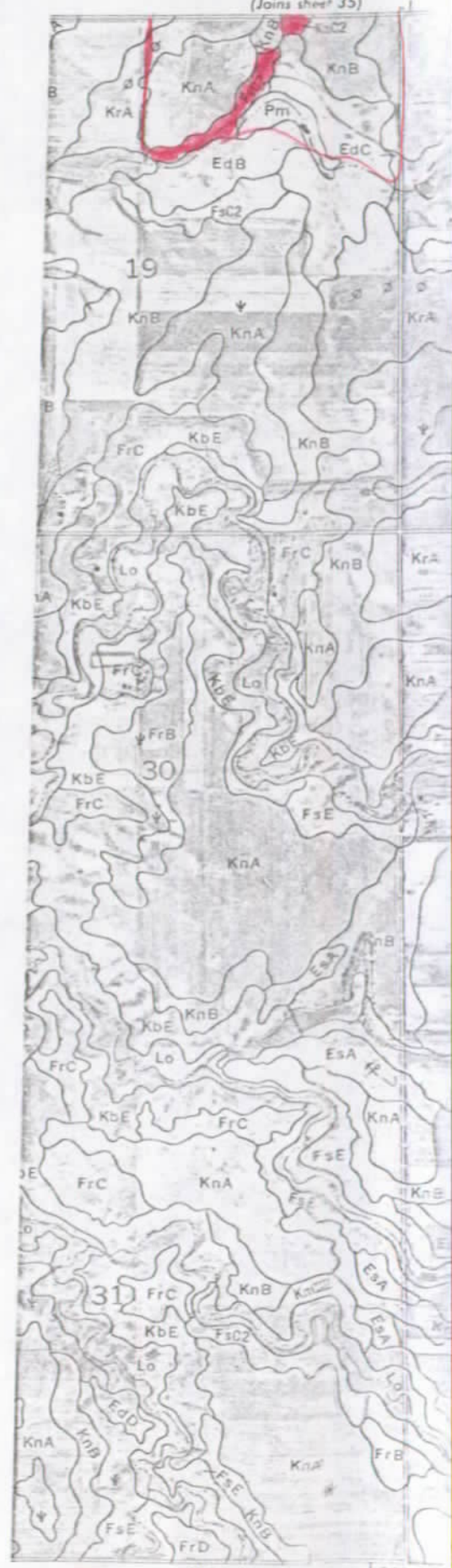
(Joins sheet 43)

1:250,000 FEET



(Joins sheet 36)

(Joins sheet 35)



(Joins sheet 51)

1:250,000 FEET

No. 4891-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Marshall) ss.

I, Charles L. Card hereby

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

Water was taken from the Britton Journal

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 Britton

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

May 19, 1982

May 26, 1982

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.

For the Water
Management Board
Betty Westlund
Water Rights
Specialist

C. L. Card
(Signature)

Editor
(Title)

May 26, 1982
(Date Signed)

Cost of Printing: \$20.75

No. 4891-3

2T(May 19-26)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Notice is hereby given
Penrhos Farms, Inc. whose post
office address is c-o Curtis
Jones, Britton, South Dakota,
has made an application in
accordance with the provisions
of SDCL 46-1-1 thru 46-1-9; 46-1-
12 thru 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, 46-5-25,
46-5-41 and Board Rules ARSD
74:02:01:01 thru 74:02:01:15,
for a permit to appropriate
for beneficial use for
storage of 300 acre feet (140
acre feet existing) of water
from a dry draw through the
Penrhos Diversion to add an
additional point of diversion on
an existing permit which is to be
located in the SW Corner of
SW 1/4 of Section 15, Twp. 126N,
Range 57W. Said water to be
used for purpose of providing
irrigation on portions of the
following described land:

SW 1/4, Section 17, SE 1/4,
Section 18 and NE 1/4, Section 19,
all in T126N R57W (lands
covered under Permit No. 3440-
3).

This Application No. 4891-3
will be considered by the Water
Management Board at Meeting
Room No. 1, Kneip Bldg.
Church & Illinois, Pierre, SD,
upon the 9th day of June, 1982 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 Circuit Court
and the State Supreme Court as
provided by law.





4891-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: PENRHOS FARMS INC, CURT JONES, 42196 115TH ST, BRITTON, SD 57430 5625

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 4891-3, 4891A-3, 5000-3 & 5291-3, 3440-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 3440-3 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) 4891-3, 4891A-3, 5000-3 & 5291-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4891-3, 4891A-3, 5000-3 & 5291-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3440-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, 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

February 9, 2000

Curt Jones
Penrhos Farms, Inc
42196 115th St
Britton, SD 57430-5625

RE: Water Right/Permit Nos. 3440-3, 4891-3, 4891A-3, 5000-3 & 5291-3

Dear Mr. Jones:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right/Permit Nos. 3440-3, 4891-3, 4891A-3, 5000-3 & 5291-3.

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



4891-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: PENRHOS FARMS INC, CURT JONES, 42196 115TH ST, BRITTON, SD 57430 5625

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 4891-3, 4891A-3, 5000-3, 5291-3 & 3440-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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. 3440-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit Nos. 4891-3, 4891A-3, 5000-3 & 5291-3 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 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit Nos. 4891-3, 4891A-3, 5000-3 & 5291-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 3440-3 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 2, 2001, 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 57501-3182
www.state.sd.us/denr

February 6, 2001

Curt Jones
Penrhos Farms Inc
42196 115th St
Britton, SD 57430-5625

RE: Water Permit Nos. 3440-3, 4891-3, 4891A-3, 5000-3 and 5291-3

Dear Mr. Jones:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Permit Nos. 3440-3, 4891-3, 4891A-3, 5000-3 and 5291-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 13 2013

5291-3

Penrhos Farms Inc
%Curt Jones
42196 115th St
Britton SD 57430

Dear Mr. Jones:

Enclosed is Water License No. 5291-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000482 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The applicable portions of Nos. 3440-3, 4891-3, 4891A-3 and 5000-3 are incorporated into Water License No. 5291-3.

enclosures