

RECEIVED
DEC 4 1957

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To—

State Water Resources Commission

Pierre, South Dakota

December 210. 57

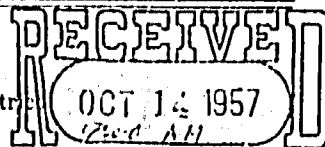
Dear Sirs: Enclosed please find for filing the proof of publication of notice of my intention to appropriate for beneficial use water of the state of South Dakota as shown in the notice.

Very truly yours,

Denis Chivone

1. Considered December 1, 1957, 1957 Appl. No. 501-3
2. Name of Applicant Denis Chivone
3. Post Office Address 618 W. 14th St. Pierre, S.D.
4. Amount of water claimed 5.71 cfs
5. Source of water supply Ground water
6. Water to be used for Irrigation
Acres to be irrigated 100
7. Water to be diverted and used in Pierre County about
miles 1.5 of 1.5
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 501-3Water Division No. 3 Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant DENIS CHICOINE
 Postoffice address ELK POINT, County UNION, State S. DAK.

I. If a corporation

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

CONTRACT

- (b) Cash on hand, \$ 4000 (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work _____

3. Amount of water claimed _____ cubic feet per second 5.714. Source of water supply DUG WELL

5. Location of point of diversion _____

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used ALL SEASON

7. To be used for:

- I. Irrigation or domestic use:
- Gravity
- , overhead sprinkling or combination system?
- FARM CROPS

(a) Number of acres to be irrigated 400 acres.(b) Legal subdivisions to be irrigated W 1/2 Sec. 9 AND N 1/2 NE 1/4 Section 8, T90, R18N E1-49

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____

Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map No. 382-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-FEET CAPACITY

(c) * Head gate: Width ----- feet; height ----- feet;
Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

The Leader Courier - Elk Point, S. Dak

STATE OF SOUTH DAKOTA

County of UnionI, Dennis S. L. Luccisius, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Dennis S. L. Luccisius

Subscribed and sworn to before me this

4th

day of

October1957

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

The sprinkler system is planned in accordance with the manufacturer's Performance Chart which is filed herewith and is hereby made a part of this application.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, October 15, 1957

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
a.m. upon the 14 day of October, 1957

State Water Resources Commission

By: J. W. Brines
Chief Engineer, Executive Officer

Number of permit 501-3

Date of first receipt of application October 14, 1957

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right October 14, 1957

Approved December 11, 1957 Recorded in Book 4 Page 186

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

June 11, 1959

2nd. The whole of said work is to be completed on or before December 11, 1960

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

December 11, 1961

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 5.71 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 December 11, 1961; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 24 day of December, 1957

State Water Resources Commission

By: J. W. Brines
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 2, 1963

Water License Issued AUGUST 2, 1963

2A — Wells (Supplement to Form 2)

9. (used)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 108'

Type of casing CONCRETE
(wood, concrete, steel, etc.)

Size of casing 18", Thickness of casing 4 1/2"

Length of casing 4' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen FINE

Size of perforated screen 1 1/2" (diameter), 4' (length)

Thickness of gravel pack 9", length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 25' Character of water bearing materials COARSE SAND, GRAVEL, COARSE GRAVEL, ROCK.

Thickness of water bearing material 15'

(d) Pump and Motor

Type of pump TURBINE
(centrifugal, propeller, mixed flow, etc.)

Name of pump WESTERN-LAND-ROLLER, size 8"

Kind of motor NATURAL GAS
(gasoline, electric, diesel, etc.)

Horsepower 70, Name of Motor MINNEAPOLIS MOTOR CONTINENTAL

(e) Complete well

Capacity 1000 gal at drawdown of 15', Estimated cost 2689

(f) Owner of land upon which well is located DEANIS CHICOINE, Name

ELK POINT S. DAK, Address

(g) Distance to nearest existing wells

On same owner's property X rods. On property owned by others 1500 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 501-3

WHEREAS, On the 14th day of October A. D. 1957

 Denis Chicoline

of Elk Point County of Union and State of
 South Dakota duly made application (No. 501-3) to us for a permit to use 5.71
 cubic feet per second of the waters of ground water
 County of Union, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 24th day of December A. D. 1957
 Permit No. 501-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 11th day of
 December A. D. 1960 and for the application to beneficial use of said
 water on or before the 11th day of December A. D. 1961
 and,

WHEREAS, On the 16th day of May A. D. 1961
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.66
 cubic feet per second of said waters, as evidenced by our Certificate No. 501-3
 dated August 2, 1963 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.66 cubic feet per second of water, with date of
 priority of October 14, 1957 and,

WHEREAS, On the 16th day of May A. D. 1961
 proof was duly made of the application to beneficial use of 2.66 cubic feet per second of said water;
 for irrigating 320 acres in the W $\frac{1}{2}$ Section 9, and E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8, 190N, R49W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Dennis Chicoine
of Elk Point the holder and owner of said permit No. 501-3
a water right, dating from October 14, 1957 to the use of 2.66
cubic feet per second of the waters of ground water
in the County of Union and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point S60° 30'E 1945' from
the NW corner Section 9, T90N, R49W
and conducted to and upon 320 acres in the W½ Section 9, and E½ NE¼ Section 8, T90N,
more specifically described in the Certificate of Completion of Works

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 2nd day of August A. D. Nineteen
Hundred and Sixty-Three

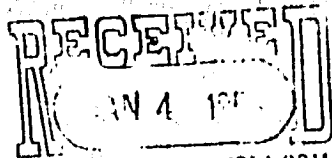
State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No.	
To	
Source of Supply	
County	
Am't	c. f. s.
Point of Diversion	
Place of Use	
Purpose	
Date of Priority	
Recorded	
In Book	of ... Page



Permit No. 1521-3

Water Division No. 3

STATE WATER RESOURCES COMM
Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

(Date)

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

5.71 cu. ft. per second of the waters of the state from
through the Cherokee River
for irrigation purposes

in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Martin Bros.

2. The postoffice address of such person or the place of business of such corporation is
County of Blaine State of N. Dak.

3. The number of such permit is 501-2 and the date set for the completion of such work is Dec. 11, 1960

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5.71 cubic feet per second.

6. The amount of land for which said water is available is 400 acres,
particularly described as follows: W 1/2 of Sec. 9 - N 1/2 of NE 1/4 of Sec 8
Range 119

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Permit No. 501-3Water Division No. 3 Big Sioux River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Doris Chicomaof Elk Point, County of Union, and State ofSouth Dakota, the holder of Permit No. 501-3, issued upon ApplicationNo. 501-3, bearing date of priority of October 14, 1957, authorizing the diversion of5.71 cu. ft. per second of the waters of ground waterCounty of Union, State of South Dakota, at a point S46° 30'E, 1945'
from the NW corner, Section 9, T90N, R49Wfor irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactorycondition for diverting and conveying to the place of intended use 2.66 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: All in T90N, R49WNW 1/4 Section 9 160 acresN 1/2 N 1/2 SW 1/4 Sec. 9 40 "E 1/2 NE 1/4 Sec. 8 60 "Total - 260 "

Witness my hand this

August

A. D. 19

63

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

(First Publication before November 8 57, 1957)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., October 28, 1957

Notice is hereby given that Denis Chicoine whose postoffice address is Elk Point S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.71 cubic feet of water per second of time from the xx ground water through the Chicoine #1, the point of diversion of which is to be located on the xxxx ~~XXXXXX~~ in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9 Twp. 90N Range 49 W. Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$ Sec. 9 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 3 all in T 90N R 49 W.

~~XXXXXX~~ for xxxxxx purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 11th day of December, 1957 at 2:00 p.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
Chief Engineer, Executive Officer

Les Wyborny, Water Rights Engineer

cc Mr. W. J. Ryan, Publisher
The Leader-Courier
Elk Point, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County UNION } ss.

WM. J. RYAN being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the LEADER COURIER

a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the LEADER COURIER of ELK POINT County of

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

NOV. 7, NOVEMBER 14, NOVEMBER 21 AND
NOVEMBER 28, 1957

in each and every issue of the full number thereof, the first publication being made on the 7th day NOVEMBER 1957 and the last publication on the 28th day of NOVEMBER 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was PUBLISHER the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 29 day of November A. D. 1957

Notary Public Edward Lindmark County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., October 28, 1957.

Notice is hereby given that Denis Chicolne whose post-office address is Elk Point, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.71 cubic feet of water per second of time from ground water through the Chicolne No. 1, the point of diversion of which is to be located in the SE 1/4 of the NW 1/4 of Section 9 Twp. 90N Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

W 1/2 Sec. 9 and NW 1/4 NE 1/4 Sec. 8 all in T. 90N. R. 49W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 11th day of December, 1957, at 2:00 P.M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
 By: Les Wyborny,
 Water Rights Engineer
 (Pub. Nov. 7, 14, 21, 28)

RECEIVED
 DEC 4 1957

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Report of Water Analysis

11/21/1957

Owner: Soxauer Company (Billings)

Location: Brookings, South Dakota

Sample Description: water--Dennis Chicaine, Elk Point

Lab. No: E-2124

Calcium 175.3 parts per million

Magnesium 48.6 " " "

Sodium 6075.0 " " " *20/1*

Potassium _____ " " "

Iron _____ " " "

Sulfate 380.0 " " "

Chloride 36.0 " " "

Alkalinity (M.O.) 370.0 " " "

Alkalinity (P.P.) 0.0 " " "

Nitrates _____ " " "

_____ " " "

_____ " " "

_____ " " "

Hardness 37.4 grains per gallon

Conductivity *at 25°C* 1400.0 micromhos/cm.

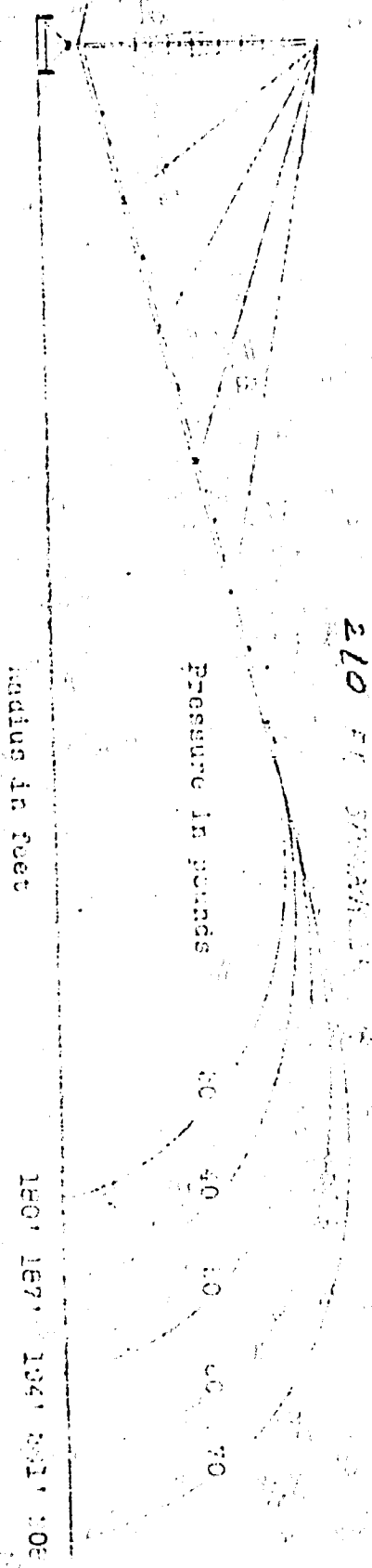
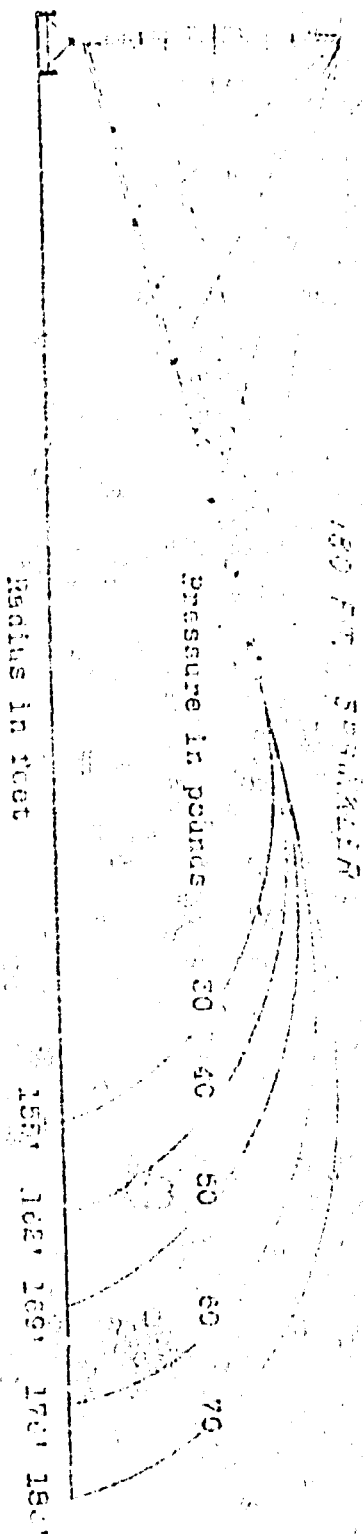
Soluble solids 1 parts per million

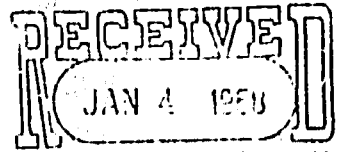
Remarks:

Interpretation:

PERFORMANCE OF DUNCAN SUPER RAINDMASTER SPRINKLER

Performance Conditions: 850 Gal. per min, 1400 ft. elev., and no wind



Permit No. 501-3Water Division No. 17

Water District

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Elbert R. Smith(Date) Jan. 31, 1958

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 19____, at Elbert R. Smith County of Lincoln State of South Dakota,
 before Elbert R. Smith proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 5.71 cubic feet per second of the waters of Charles 76.1
 In accordance with the terms and conditions of Permit No. 501-3
 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are W. H. Smith
- The use to which said water has been applied is irrigation
- The amount applied to beneficial use is 5.71 cfs
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) W. H. Smith 9 & 11 1/2 1/4 Sec 10 S. 10 N. 40
- The name of the canal or ditch or other works by which said water is conducted to such place of use is 11 1/2 1/4 Sec 10 S. 10 N. 40
- The right to take the water from such works is based upon permit No. 501-3
- The source of supply from which such water is diverted is 11 1/2 1/4 Sec 10 S. 10 N. 40
- The date of priority which said user is prepared to establish is Oct 14, 1957

(Sign) Elbert R. Smith

501-3

March 21, 1963

Daryl R. Chicoine
R.F.D. #1
Elk Point, South Dakota

Dear Mr. Chicoine:

In going over your folder I note that Mr. St. Onge made the final inspection on Permit 501-3, held in the name of Denis Chicoine.

At the time of the inspection it was determined that only 260 acres of the proposed 400 acres was irrigated. Also the inspection indicated that your system was capable of delivering 600 gallons per minute, or 1.33 c.f.s. The original application called for 5.71 c.f.s.

Under South Dakota Statutes we would have to issue the water license for the 600gpm for irrigation of 260 acres. If this is satisfactory, please remit \$12.00 (\$10.00 for the inspection and \$1.00 each for recording the Certificate of Completion of Works and the Water License), and the final papers will be sent to you.

Sincerely,

BURTON F. JONES
Water Right Specialist

BFG/bw

501-3

J. W. JONES
Chief Engineer
and
Executive Officer

COMMISSION

Albro Ayres, Deadwood
Lester Bauc, Fatka
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton E. Fischer, Milbank
Stanley A. Johnson, Mitchell
John Sutton, Onida

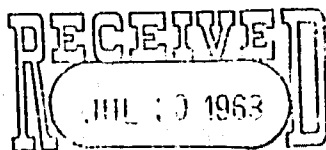
SOUTH DAKOTA

State Water Resources Commission

STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

March 21, 1963



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Daryl R. Chicoine
R.F.D. #1
Elk Point, South Dakota

Dear Mr. Chicoine:

In going over your folder I note that Mr. St. Onge made the final inspection on Permit 501-3, held in the name of Denis Chicoine.

At the time of the inspection it was determined that only 260 acres of the proposed 400 acres was irrigated. Also the inspection indicated that your system was capable of delivering 600 gallons per minute, or 1.33 c.f.s. The original application called for 5.71 c.f.s.

Under South Dakota Statutes we would have to issue the water license for the 600gpm for irrigation of 260 acres. If this is satisfactory, please remit \$12.00 (\$10.00 for the inspection and \$1.00 each for recording the Certificate of Completion of Works and the Water License), and the final papers will be sent to you.

Sincerely,

BURTON F. JONES

Water Right Specialist

BFJ/bw

Permit No. 501-3Water Division No. 3

BIG SIOUX

RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated DEC. 31, 1957, I have this day made a thorough examination of the diversion works constructed by DENNIS C. HOC AINE, of WATSON F. L. K. POINT, UNION County, South Dakota, holder of Permit No. 501-3, issued upon Application No. 501-3, bearing date of priority of OCT. 14, 1957, authorizing the diversion of 5.71 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: DUMP LATERAL LAND ROLLER # 757317 8.4
Roller # 7 CONTINENTAL MITER # 31706 MODEL J. 382
NATURAL GAS 780' 7" MAINLINE 930' 6" LATERAL
210' BOOM 11 NOZZLES SELECTED
DUNCAN RAIN MASTER

and the system is in the following condition: EXCELLENT

The point of diversion is located 541' 30" E 1945' FROM THE NW COR
SEC 9 T. 14 N. R. 49 W.

The works are capable of diverting and conveying to the place of use 1200 GPM cu. ft. per second of water RIS which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: NW 1/4 N 1/2 N 1/2 SW 1/4 SEC 9, T. 14 N. R. 49 W.
E 1/2 & NE 1/4 SEC 8, T. 12 R. 49 W.

comprising a total of 240 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises: ALL

Witness my hand, this 11 day of May, A. D. 1961.

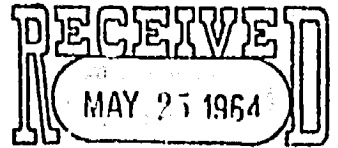
—SEAL—

Examining Engineer.



COOPERATIVE EXTENSION SERVICE
SOUTH DAKOTA STATE COLLEGE, U. S. DEPARTMENT OF AGRICULTURE AND COUNTY COOPERATING

File



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

May 22, 1964
24 W. Main St.
Vermillion, S. D.

Mr. Burton F. Jones
Water Rights Specialist
State Water Resources Commission
State Office Building
Pierre, South Dakota

Dear Bert:

Mr. Dennis Chicoine, Elk Point, South Dakota is planning the construction of another irrigation well. A portion of the land to be irrigated with this new well is included in his present permit number 501-3, 8/9-90-49.

I would appreciate it if you would send me a copy of his present map so that we can make the corrections.

Will it be necessary to make a new map for the new well or can these additions be made on the original? I have informed Mr. Chicoine that he must complete the required SDWRC forms and pay the application fee on the new well.

I would also appreciate information on the status of Mr. James Chicoine's permit (Jefferson). You will recall this is the permit for which the application forms and fees were misplaced in March of 1964.

Thank you.

Sincerely yours,

Fred A. Schmer
Fred A. Schmer
Extension Area
Irrigation Engineer

FAS/alw

501-3
1297-3
1136-3

WATER RIGHTS DIVISION
(605) 773-3352

December 18, 1984

Dave Smith
Route #1, Box 53
Elk Point, South Dakota 57025

Dear Mr. Smith:

In regard to our telephone conversation of December 17, 1984, enclosed are copies of Water Right Nos. 501-3, 1297-3 and 1136-3. The questionnaire you submitted for Water Right No. 1136-3 is on file and I have marked the questionnaires for Water Right Nos. 501-3 and 1297-3 accordingly.

As you requested, future questionnaires will be mailed directly to you as the operator. Thank you for your assistance in this matter.

Sincerely,

Genny McMath
Natural Resources Analyst

GHms
Enc.



GREAT FACES. GREAT PLACES.

January 14, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

501-3
1136-3
1297-3

Curry Seed Company
PO Box 517
Elk Point, SD 57025

Dear Sirs:

Our office has been contacted by Dave Smith concerning the ownership status of Water Right Nos. 501-3, 1136-3 and 1297-3. He indicated Curry Seed Company is purchasing the land described in these water rights on a contract for deed. He further stated that you would have the irrigation data for the 1990 irrigation questionnaires.

Enclosed is a questionnaire pertaining to each of the water rights. The land authorized for irrigation is listed below:

Water Right No. 501-3 (currently listed under Denis Chicoine): NW 1/4, N 1/2 SW 1/4 Section 9 and E 1/2 NE 1/4 of Section 8, T90N, R49W

Water Right No. 1136-3 (Rose Chicoine Moret)
E 1/2 NE 1/4 Section 8, T90N, R49W

Water Right No. 1297-3 (Rose Chicoine Moret)
W 1/2 NE 1/4, N 1/2 SE 1/4 Section 8, T90N, R49W

Mr. Smith stated he would like future correspondence concerning these water rights to be sent directly to you (as that of operator of the systems). At such time as the contract for deed is paid, the water rights can be transferred over to your name.

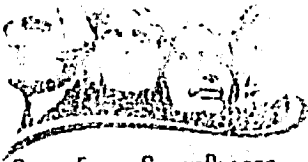
Please complete the questionnaires and return them to our office as soon as possible. I appreciate your assistance in this matter. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

CURRY SEED CO, OPERATOR
PO BOX 517
ELK POINT SD 570250517

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 501-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Amend Permit No(s) 501-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

cc: Denis Chicoine, RR 2, Elk Point SD 57025

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

GREAT FACES GREAT PLACES

February 1, 1991

CURRY SEED COMPANY, OP.
PO BOX 517
ELK POINT SD 57025

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 1136-3; 1297-3; & 501-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 1136-3; 1297-3; & 501-3. The request for the chemigation report(s) was dated January 7, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

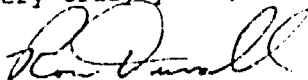
The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 1136-3; 1297-3; & 501-3 until either the 1990 chemigation report(s) 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.

Very truly yours,



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

NOTE: If the chemigation report(s) is received in this office before the February 27th 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.

CC: Rose Moret, PO Box 232, Sioux Center, IA 51250



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company
Box 517
Elk Point, SD 57025

RE: Irrigation Questionnaires and/or Chemical Application Use
Data for Water Permit Nos. 237-3, 306-3, 324-3, 501-3, 1086-3,
1133-3, 1136-3, 1297-3, 1530-3, 2141-3, 2189-3, 2370-3, 2371-3,
2450-3, 2940-3, 3910-3, 4438-3, 4582-3, 4598-3, 5030-3, 5201-3,
and 5254-3

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division