

Considered: _____

WATER PERMIT NO. 5226-3

MAP No. Same 356-2512

Name of Applicant Daniel J. Hanson

Post Office Address Route 1, Box 6A Elk Point, SD 57025

Amount of Water Claimed 1.11 cfs Total Acres 78

Source of Water Supply groundwater

Water to be used for irrigation County Union

About 1 1/2 miles South of Elk Point

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received June 27, 1988 Fee 225⁰⁰ Remarks _____

Corrected Application Received Sept. 15, 1988 Period of Annual Use Apr 1 - Sept. 30

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/ CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point _____

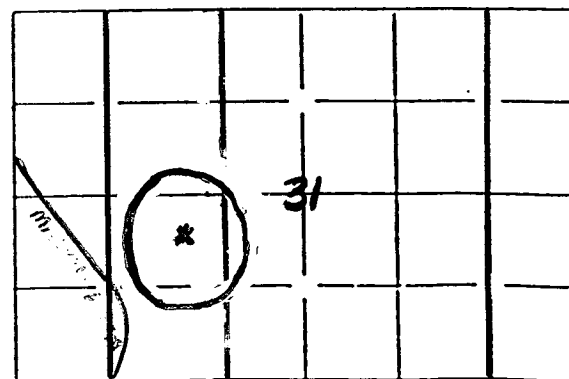
N 1/2 Lot 2 SW 1/4, Sect. 31, T 91 N, R 49 W

Land to be Irrigated 3 1/2 Lot 2 NW 1/4, Sect 31, T 91 N, R 49 W

N 1/2 Lot 2 SW 1/4, " "

NE 1/4 SW 1/4, " "

S 1/2 Lot 2 SW 1/4, " "

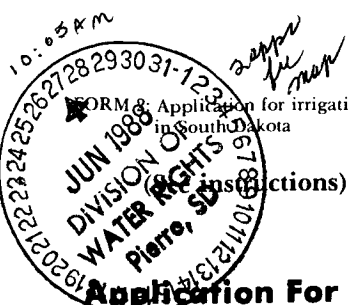


Well Log: Driller Wetmore Drilling Licensed YES X NO _____

Depth of Well 80' REMARKS _____

Type of Map aerial PREPARED BY John C. McIntosh Reviewed and the Number

September 21 1988 BY Daniel J. Hanson



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

No. 5226-3 Hydrologic Unit 10170101
Basin Vermillion R.
Newspaper Leader-Courier Box 310 Elk Point 57025 (Wed)

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Daniel J. Hanson Phone No. 356-2512
Post Office Address Route 1 Box 5A Elk Point State So. Dak. Zip Code _____
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s) 1.11 Total acres irrigated 78
3. Source of Water supply Ground Water
4. Location of point of diversion center of Section 31 T91N-R49W
N 1/2 Lot 2 SW 1/4 - Sec 31-T91N-R49W County Union
5. Counties where water will be used Union
6. Annual period during which water is to be used April 1 - September 30
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
S 1/2 Lot 2 NW 1/4 Sec 31 T91N-R49W	10
N 1/2 Lot 2 SW 1/4 Sec 31 T91N-R49W	53
NE 1/4 SW 1/4 Sec 31 T91N-R49W	05
S 1/2 Lot 2 SW 1/4 Sec 31 T91N-R49W	10

Land Description	No. Acres Irr.
S 1/2 Lot 2 NW 1/4 Sec 31 T91N-R49W	10
N 1/2 Lot 2 SW 1/4 Sec 31 T91N-R49W	53
NE 1/4 SW 1/4 Sec 31 T91N-R49W	05
S 1/2 Lot 2 SW 1/4 Sec 31 T91N-R49W	10

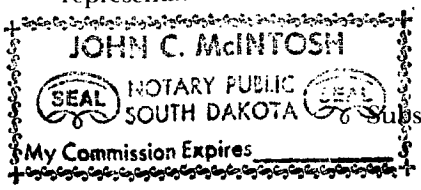
Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn - Soybeans - also a wheat
10. Give a description of proposed project. (Attach sheet if more space is needed)

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of _____)

I, Daniel Hanson, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.



Signed Daniel J. Hanson
Subscribed and sworn to before me this 21st day of December 19 87
John C. McIntosh
Notary Public

**SOUTH DAKOTA
WATER PERMIT FOR IRRIGATION**

Date of first receipt of application June 27, 1988

Date Soil/Water Compatibility Permit received September 15, 1988

Date of return to applicant for correction, amendments or changes required July 6, 1988

Date of receipt of corrected application August 12, 1988

The Water Management Board approved Water Permit Application No. 5226-3

on December 8, 1988 for Daniel J. Hanson
(Applicant)

Route 1 Box 6A Elk Point SD 57025
(Street, RR or Box) (City) (State) (Zip Code)

authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5226-3 appropriates 1.11 cubic feet of water per second (cfs) from one well, 80 feet deep to irrigate 78 acres. The well is located in the N 1/2 Lot 2 SW 1/4 and the acreage to be irrigated is located in the S 1/2 Lot 2 NW 1/4, Lot 2 SW 1/4, and the NE 1/4 SW 1/4; all in Section 31, T91N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30
3. The date from which applicant may claim the right is June 27, 1988
4. One-fifth of the construction is to be completed on or before June 8, 1991
5. All construction is to be completed on or before December 8, 1993
6. Water is to be put to beneficial use on or before December 8, 1997
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: *John Hatch*
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

MAR 10 1989

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 22" Depth 100'
- b) Casing Type PVC Diameter 16" Thickness $\frac{5}{8}"$
- c) Screen Type PVC S&OT Diameter 16" x 20' Thickness $\frac{5}{8}"$
- d) Gravel Pack Thickness 6" Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 53'
- f) Depth to Water (ground surface to water level) 8'
- g) Distance to nearest existing domestic well:
- On applicants property 2800 feet On property owned by others 3400 feet

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

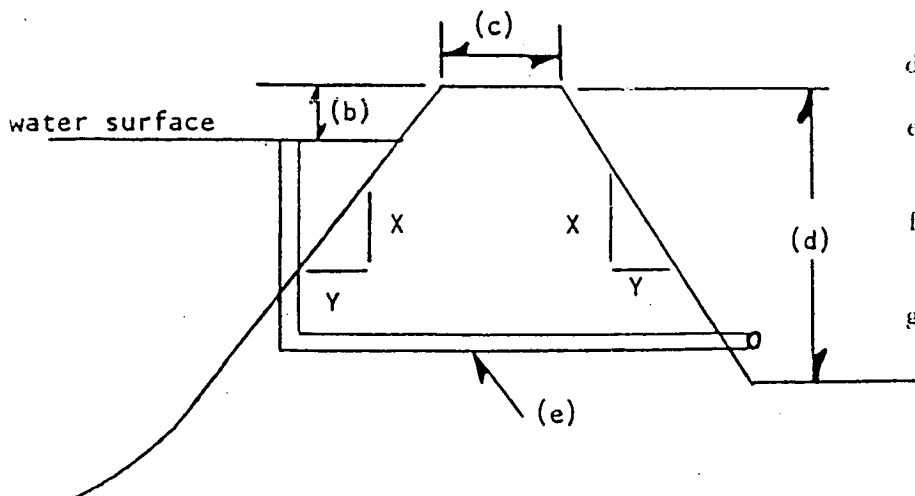
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

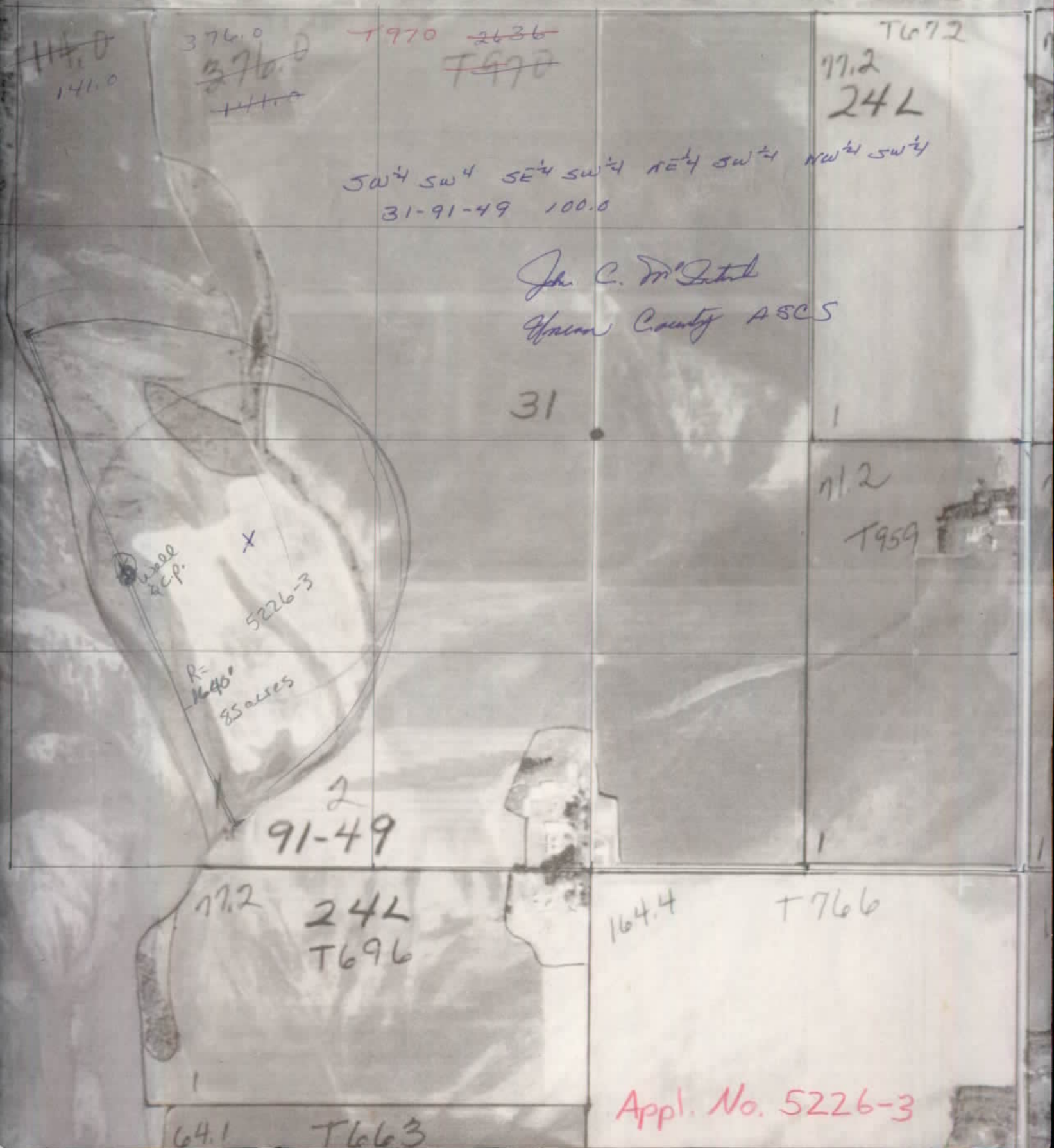


Daniel J. Hansen

Signature of Applicant

DAN

NOT TO SCALE



 **Department of
Water & Natural Resources**

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

July 6, 1988

Daniel J. Hanson
Route 1, Box 6A
Elk Point, South Dakota 57025

Dear Mr. Hanson:

This letter is in reference to the water permit application received from you on June 27, 1988.

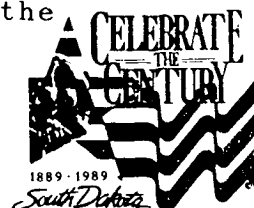
The application is incomplete for the following reasons:

- (1) A well log or driller's test log, signed by a South Dakota licensed well driller was not included in the application (see enclosed instruction sheet).
- (2) The legal descriptions of both the well (diversion point) and the acres to be irrigated do not correspond entirely to the locations indicated on the map. I believe the following legal descriptions and acreages should be specified on the application based on the location and size of the pivot drawn on the enclosed copy of the aerial photo map submitted. I have also enclosed a plat map which shows the pivot and lot locations.

Legal Description	Acres
S 1/2 Lot 2 NW 1/4, Section 31, T91N, R49W	10
N 1/2 Lot 2 SW 1/4	53
S 1/2 Lot 2 SW 1/4	10
NE 1/4 SW 1/4	5
	78 acres

Please indicate if you agree with the above legal descriptions and if the proposed pivot coverage area is approximately 78 acres. I will make the needed changes on the application if you agree that the above legal description and acreage is accurate.

The legal description of the well should be the N 1/2 Lot 2 SW 1/4, Section 31, T91N, R49W if the well is to be located at the center of the pivot. Please indicate if the well is to be located at the center of the pivot as shown on the aerial photo or if the legal description given on the permit application is correct.



July 6, 1988
Daniel J. Hanson
Page 2

In addition, the amount of water claimed was omitted on the application. According to South Dakota law (SDCL 46-5-6), the amount of appropriated water for irrigation purposes cannot exceed 1 cfs for each 70 acres irrigated. Using this figure, the maximum amount of water you could use to irrigate 100 acres is 1.43 cfs (642 gpm) or to irrigate 78 acres is 1.11 cfs (498 gpm). This addition to your application needs to be based on the number of acres irrigated.

The application cannot be considered by the Board of Water Management until the application is complete. Please clarify the legal descriptions and acreage and return the maps along with a signed driller's log to begin processing of the water permit application. Contact me if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
605 773-3352

enc.

July 14, 1988



Susan Brown
Dept of Water + Natural Resources
Joe Ross Bldg
523 E. Capitol
Pierre, SD 57501-3181

Dear Ms. Brown:

I have enclosed the soil map which
you sent to me earlier and agree
that your description of the well and
the irrigated acres is correct.

If you have any further questions,
please let me know.

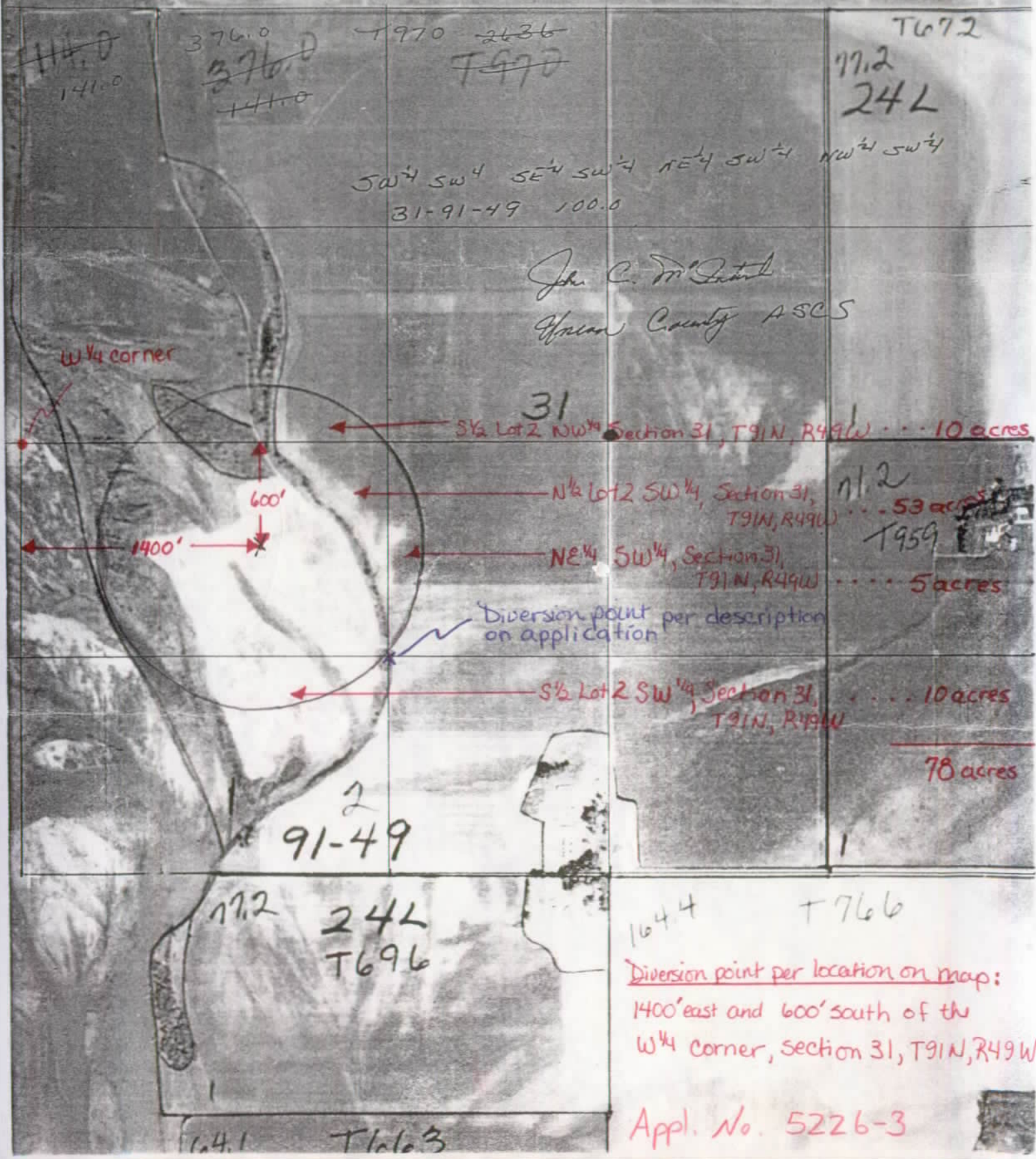
Sincerely

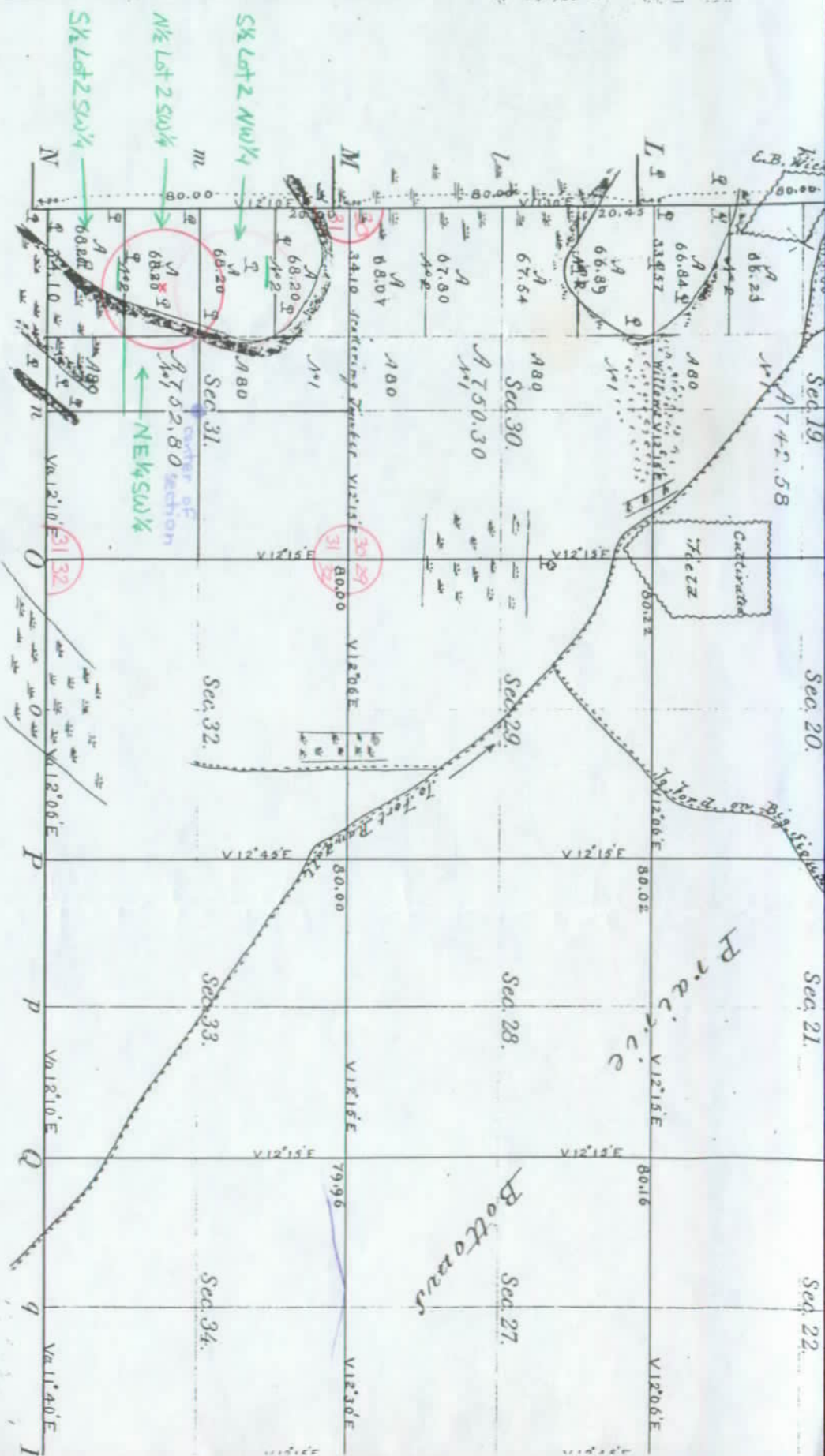
Daniel J. Hanson

Rt. 1 Box 6A

Elk Point, SD 57025

NOT TO SCALE





Survey Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed
Township lines	John H. Bell	Aug 1st 1860	M. Ch. Lk.	Oct 1st 1860
Subdivisions	Cert. of the Survey	July 23rd 1861	55-51-10	Sept 1st 1861
Memorandum of Survey	John H. Bell	July 23rd 1874	70.50	Aug 8th 1874

Total number of Acres. 16891.09

Appl. No 5226-3

SOUTH Dakota Department of
Water & Natural Resources

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



July 26, 1988

Daniel J. Hanson
Route 1, Box 6A
Elk Point, South Dakota 57025

Dear Mr. Hanson:

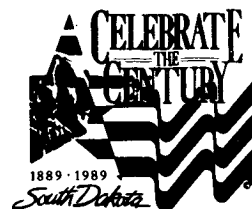
This is in response to the water well completion report received from you on July 22, 1988. This well report will complete your water permit application. There is still a question, however, concerning the actual location of the well. As you can see from the enclosed copies of the well report and the map submitted, there appears to be three different locations for the well. I have marked these locations in different colors and numbered them one, two, and three. Please return the enclosed material with a note indicating, by number, the correct location. I will make the needed corrections on your application.

Sincerely,

Susan A. Bowar

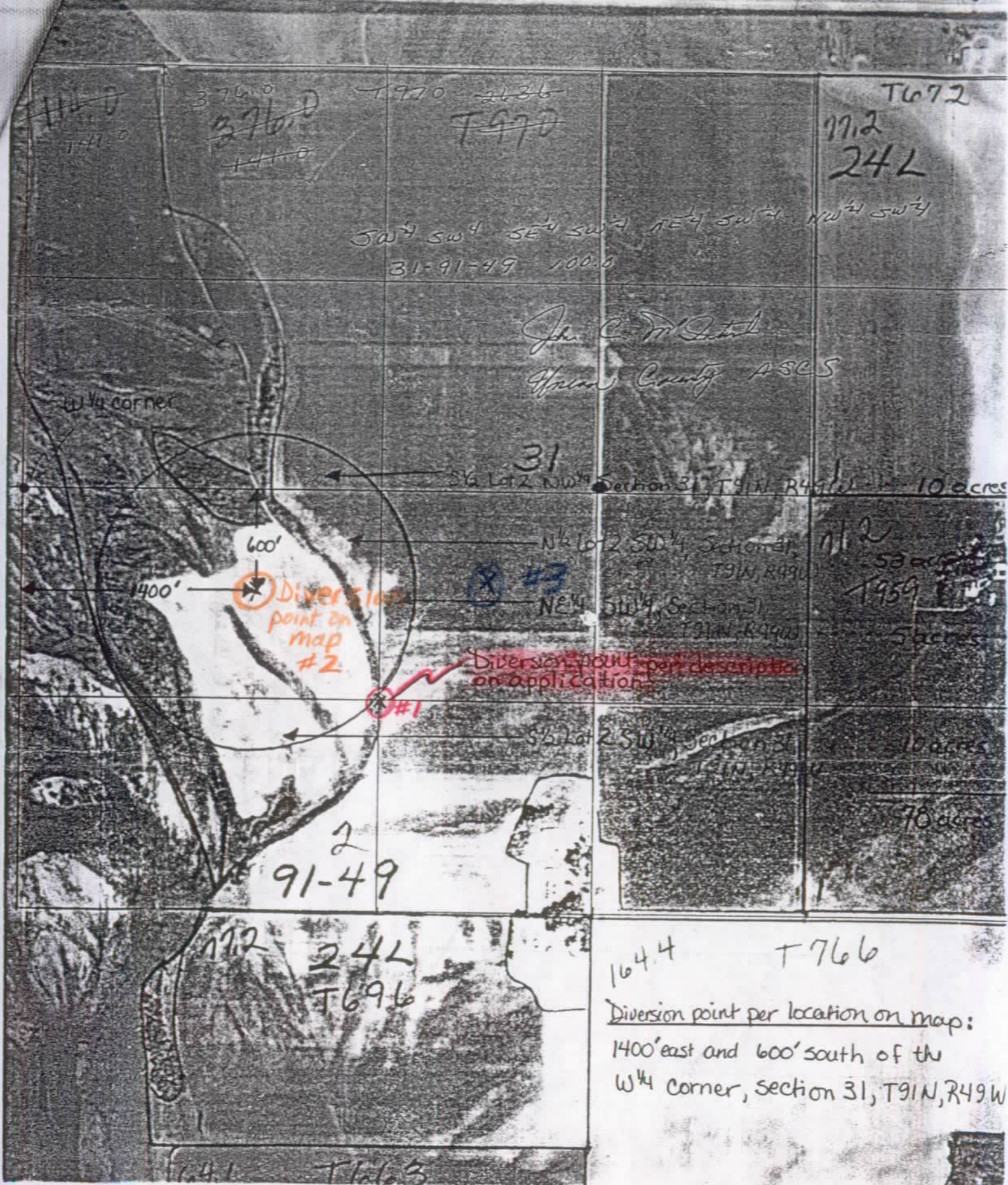
Susan A. Bowar
Natural Resources Engineer
(605) 773-3352

enclosures



2 is the correct diversion point

NOT TO SCALE



SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 SW 1/4 Sec 31 Twp 91-N Rg 48-19W

County

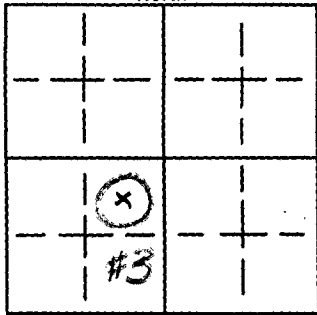
Union

North

Please mark well location with an "X"

W

E



1 mile

Well Completion Date 7-7-88

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

ROTARY

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1/2" wall</u> LB/FT	<u>8</u> IN	<u>0</u> FT	<u>80</u> FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20' FEETWhat is grouting material? cementIf cement, number of sacks? 14Describe grouting procedure pumped tremie pipepenetration 20-42gravel 42-81What was grout weight? 15.4 LB/GALSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 6 IN Length 20 FEETMaterial PVCSlot Size 80 Set From 60 Feet To 80 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information Johanson V Type PVCslottedWas a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain Shoeline 200 PPMBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name DANIEL HANSONAddress RT 1 Box 6A Elk Point SD

Well Log:

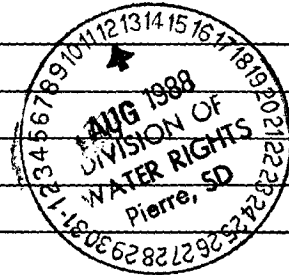
Depth

Formation

From

To

<u>top soil</u>	<u>0</u>	<u>1</u>
<u>fine sand</u>	<u>1</u>	<u>53</u>
<u>coarse sand + gravel</u>	<u>53</u>	<u>80</u>

STATIC WATER LEVEL 16 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

29 ft. After 2 Hrs. pumped 460 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Watmore Drilling

Signature of License Representative:

James Watmore

Signature of Well Owner:

Dan Hanson Rg 48Date 7-19-88

07-92

Date:

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411299

Pierre, June 29, 1988, 19

RECEIVED OF Daniel J. Hanson, Route 1, Box 6 A, Elk Point, SD 57025

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

Fee for Application for Permit No. <u>5226-3</u> to Appropriate Water, to construct works and to put water to beneficial use	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	225 00

By John Hatch
Chief Engineer JOHN HATCH (TS)

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4267

WR#

OWNERS NAME: Daniel J. Hanson

OWNERS ADDRESS: Rt. 1, Box 6A

Elk Point, SD 57025

COUNTY LAND LOCATED IN: Union

PHONE: 356-2512

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: N1/2 Lot 2 SW 1/4

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>S1/2 Lot 2 NW1/4 31-91-49</u>	<u>10</u>		
<u>N1/2 Lot 2 SW1/4 31-91-49</u>	<u>53</u>		
<u>NE1/4 SW1/4 31-91-49</u>	<u>5</u>		
<u>S1/2 Lot 2 SW1/4 31-91-49</u>	<u>10</u>		

2. TYPE OF IRRIGATION: GRAVITY _____ TOWLINE: _____ CENTER PIVOT: x GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: corn, soybeans, alfalfa, wheat

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0211

7. ADJUSTED (SAR): 3.94

5. SALINITY (EC X 10⁶): 1150

8. PERCENT SODIUM: 25.59

6. SODIUM (SAR): 1.50

Requirements:

The area mapped as Fluvaquents is subject to a severe wind erosion hazard due to its sandy nature. This area also has a water table caused by the Missouri River. In an effort to address these hazards, this area shall be cropped with a form of conservation tillage and/or maintained in permanent vegetation and the water management shall be designed to inhibit the perching of the water table, resulting in the adverse effect on crops.



Keith L. Harner

Director, Division of Conservation

9/12/1988

Date

X APPROVED

DISAPPROVED

WAIVER

X REQUIRED

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

REPORT ON APPLICATION NO. 5226-3
DANIEL J. HANSON
October 18, 1988

This application proposes to appropriate 1.11 cfs from one well 80 feet deep. The well is to be located in the N 1/2 Lot 2 SW 1/4, Section 31, T91N, R49W and the water will be used to irrigate 78 acres located in the S 1/2 Lot 2 NW 1/4 and the NE 1/4 SW 1/4, Section 31, T91N, R49W in Union County.

Aquifer - Missouri-Elk Point (M-EP)

The Missouri-Elk Point (M-EP) is an alluvium mantled glacial outwash (sand and gravel) which is under water table conditions in this area. Because the alluvium consists of sands, silts and clays it can also be considered part of the M-EP Aquifer, however, depending upon location, a particular site can be either under water table or artesian conditions. The M-EP underlies 99,600 acres and contains approximately 1.5 million acre feet of water in storage in Union County (Hedges, 1982). The aquifer is hydraulically connected to the Lower Vermillion Missouri Aquifer in Clay and Union Counties, the Missouri Elk Point Aquifer in Clay County and the Big Sioux and Missouri Rivers.

The Division of Water Rights monitors 24 observation wells in the M-EP Aquifer. Two of these wells UN-78A and UN-80E are within 2 miles of this application (Water Rights, 1988). Hydrographs for these wells are included with this report. Water levels tend to mirror climatic conditions, that is, water levels rise during wet years and decline during dry years. Test hole data supplied with this application show sand from 1 foot to 53 feet and coarse sand and gravel from 53 feet to 81 feet with a static water level of 16 feet below land surface. Test pumping of this well indicated a pumping rate of 450 gpm with 13 feet of drawdown (specific capacity-35 gpm/ft). There are numerous high capacity wells developed in Union County from the M-EP Aquifer with specific capacities in the 50-100 gpm/ft of drawdown range (Well Files, 1988). Interference is not expected to be a problem because significant drawdowns do not extend very far from the production well.

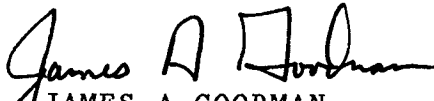
Review of Existing Water Permits

There are three existing Water Permit Nos. 3005-3, 4255-3 and 4702-3 which are within 1/2 mile of this proposed diversion point. The permits are all held by Dan Hanson, the applicant.

Conclusions

1. There is water available from the M-EP Aquifer.

2. Interference should not be a problem. The anticipated drawdowns should not adversely affect another well in this area. The observation well records for UN-78A do not indicate significant drawdowns occur.
3. Water level records indicate recharge to the aquifer is sufficient to sustain existing withdrawals.
4. The well construction must comply with SD Well Construction Standards.


JAMES A GOODMAN
Hydrologist

Bibliography

Hedges, L.S., Etal., 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, DWNR, SDGS, Vermillion SD.

Water Rights Division, 1988, Observation Well Data for UN-78A and UN-80E, DWNR, Division of Water Rights, Joe Foss Building, Pierre SD 57501.

OBSERVATION WELL WATER LEVELS
OBS_WELL LOCATION DATE READING

9:02 WEDNESDAY, OCTOBER 19, 1988 1

UN-80E	091N-49W-338888 2	06/04/80	-19.5
UN-80E	091N-49W-338888 2	06/11/80	-19.4
UN-80E	091N-49W-338888 2	06/25/80	-19.7
UN-80E	091N-49W-338888 2	07/09/80	-22.6
UN-80E	091N-49W-338888 2	07/23/80	-23.9
UN-80E	091N-49W-338888 2	08/06/80	-23.2
UN-80E	091N-49W-338888 2	08/21/80	-21.9
UN-80E	091N-49W-338888 2	09/03/80	-21.6
UN-80E	091N-49W-338888 2	09/16/80	-21.6
UN-80E	091N-49W-338888 2	10/22/80	-21.4
UN-80E	091N-49W-338888 2	03/06/81	-21.7
UN-80E	091N-49W-338888 2	03/25/81	-21.7
UN-80E	091N-49W-338888 2	05/05/81	-22.1
UN-80E	091N-49W-338888 2	06/02/81	-22.1
UN-80E	091N-49W-338888 2	06/24/81	-21.9
UN-80E	091N-49W-338888 2	07/07/81	-21.8
UN-80E	091N-49W-338888 2	07/29/81	-23.6
UN-80E	091N-49W-338888 2	08/11/81	-24.3
UN-80E	091N-49W-338888 2	08/26/81	-23.1
UN-80E	091N-49W-338888 2	09/16/81	-22.6
UN-80E	091N-49W-338888 2	10/28/81	-22.3
UN-80E	091N-49W-338888 2	12/09/81	-22.3
UN-80E	091N-49W-338888 2	03/01/82	-21.8
UN-80E	091N-49W-338888 2	05/04/82	-21.5
UN-80E	091N-49W-338888 2	06/01/82	-20.9
UN-80E	091N-49W-338888 2	06/15/82	-21.0
UN-80E	091N-49W-338888 2	06/28/82	-21.1
UN-80E	091N-49W-338888 2	07/13/82	-21.5
UN-80E	091N-49W-338888 2	07/27/82	-22.5
UN-80E	091N-49W-338888 2	08/10/82	-23.2
UN-80E	091N-49W-338888 2	08/22/82	-23.5
UN-80E	091N-49W-338888 2	09/09/82	-22.5
UN-80E	091N-49W-338888 2	10/06/82	-21.9
UN-80E	091N-49W-338888 2	11/08/82	-21.1
UN-80E	091N-49W-338888 2	03/02/83	-18.7
UN-80E	091N-49W-338888 2	04/19/83	-14.6
UN-80E	091N-49W-338888 2	05/18/83	-14.6
UN-80E	091N-49W-338888 2	05/31/83	-14.8
UN-80E	091N-49W-338888 2	06/14/83	-14.7
UN-80E	091N-49W-338888 2	06/27/83	-12.2
UN-80E	091N-49W-338888 2	07/13/83	-12.4
UN-80E	091N-49W-338888 2	07/25/83	-13.6
UN-80E	091N-49W-338888 2	08/09/83	-15.1
UN-80E	091N-49W-338888 2	08/21/83	-17.2
UN-80E	091N-49W-338888 2	09/13/83	-17.1
UN-80E	091N-49W-338888 2	10/18/83	-17.6
UN-80E	091N-49W-338888 2	11/16/83	-17.8
UN-80E	091N-49W-338888 2	04/11/84	-12.6
UN-80E	091N-49W-338888 2	05/09/84	-9.9
UN-80E	091N-49W-338888 2	05/22/84	-10.9
UN-80E	091N-49W-338888 2	06/04/84	-11.1
UN-80E	091N-49W-338888 2	06/18/84	-9.4
UN-80E	091N-49W-338888 2	07/02/84	-8.9
UN-80E	091N-49W-338888 2	07/17/84	-10.6
UN-80E	091N-49W-338888 2	07/30/84	-11.7

OBS_WELL OBSERVATION WELL WATER LEVELS
LOCATION DATE READING

9:02 WEDNESDAY, OCTOBER 19, 1988 2

UN-80E	091N-49W-338888 2	08/13/84	-13.9
UN-80E	091N-49W-338888 2	08/29/84	-14.9
UN-80E	091N-49W-338888 2	10/02/84	-15.5
UN-80E	091N-49W-338888 2	11/07/84	-15.3
UN-80E	091N-49W-338888 2	03/19/85	-17.1
UN-80E	091N-49W-338888 2	04/30/85	-13.9
UN-80E	091N-49W-338888 2	05/20/85	-14.3
UN-80E	091N-49W-338888 2	06/04/85	-14.9
UN-80E	091N-49W-338888 2	06/11/85	-15.1
UN-80E	091N-49W-338888 2	06/19/85	-16.0
UN-80E	091N-49W-338888 2	07/03/85	-15.2
UN-80E	091N-49W-338888 2	07/16/85	-18.6
UN-80E	091N-49W-338888 2	07/30/85	-18.9
UN-80E	091N-49W-338888 2	08/19/85	-18.0
UN-80E	091N-49W-338888 2	09/18/85	-17.2
UN-80E	091N-49W-338888 2	10/23/85	-17.1
UN-80E	091N-49W-338888 2	03/20/86	-17.9
UN-80E	091N-49W-338888 2	03/31/86	-16.8
UN-80E	091N-49W-338888 2	04/15/86	-16.4
UN-80E	091N-49W-338888 2	04/28/86	-15.6
UN-80E	091N-49W-338888 2	05/26/86	-15.3
UN-80E	091N-49W-338888 2	06/10/86	-15.3
UN-80E	091N-49W-338888 2	06/24/86	-15.6
UN-80E	091N-49W-338888 2	07/09/86	-15.6
UN-80E	091N-49W-338888 2	07/29/86	-16.5
UN-80E	091N-49W-338888 2	08/12/86	-17.5
UN-80E	091N-49W-338888 2	08/27/86	-17.3
UN-80E	091N-49W-338888 2	09/25/86	-16.2
UN-80E	091N-49W-338888 2	10/22/86	-15.9
UN-80E	091N-49W-338888 2	03/25/87	-16.4
UN-80E	091N-49W-338888 2	05/05/87	-16.2
UN-80E	091N-49W-338888 2	05/19/87	-16.4
UN-80E	091N-49W-338888 2	06/03/87	-15.7
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UN-80E	091N-49W-338888 2	07/15/87	-18.4
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UN-80E	091N-49W-338888 2	08/12/87	-18.9
UN-80E	091N-49W-338888 2	08/25/87	-18.8
UN-80E	091N-49W-338888 2	09/15/87	-19.1
UN-80E	091N-49W-338888 2	10/28/87	-19.3
UN-80E	091N-49W-338888 2	03/23/88	-19.8
UN-80E	091N-49W-338888 2	05/24/88	-20.0
UN-80E	091N-49W-338888 2	06/08/88	-20.0
UN-80E	091N-49W-338888 2	06/22/88	-22.1
UN-80E	091N-49W-338888 2	07/07/88	-22.7
UN-80E	091N-49W-338888 2	07/20/88	-23.0
UN-80E	091N-49W-338888 2	08/04/88	-24.5
UN-80E	091N-49W-338888 2	08/17/88	-23.9
UN-80E	091N-49W-338888 2	10/03/88	-22.0

N= 105

OBSERVATION WELL WATER LEVELS
OBS_WELL=UN-80E

9:02 WEDNESDAY, OCTOBER 19, 1988 3

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 6 OBS HIDDEN

U050009 - END OF DATA SET

9)

OBSERVATION WELL WATER LEVELS

OBS_WELL	LOCATION	DATE	READING
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8:43 WEDNESDAY, OCTOBER 19, 1988

1

UN-78A	091N-49W-30CCBB	08/30/79	-20.1
UN-78A	091N-49W-30CCBB	09/20/79	-20.2
UN-78A	091N-49W-30CCBB	10/16/79	-20.2
UN-78A	091N-49W-30CCBB	11/14/79	-19.7
UN-78A	091N-49W-30CCBB	01/15/80	-20.0
UN-78A	091N-49W-30CCBB	03/11/80	-20.5
UN-78A	091N-49W-30CCBB	04/23/80	-20.6
UN-78A	091N-49W-30CCBB	05/29/80	-20.8
UN-78A	091N-49W-30CCBB	06/11/80	-20.8
UN-78A	091N-49W-30CCBB	06/25/80	-21.0
UN-78A	091N-49W-30CCBB	07/09/80	-21.3
UN-78A	091N-49W-30CCBB	07/23/80	-21.5
UN-78A	091N-49W-30CCBB	08/06/80	-21.5
UN-78A	091N-49W-30CCBB	08/21/80	-21.4
UN-78A	091N-49W-30CCBB	09/03/80	-21.3
UN-78A	091N-49W-30CCBB	09/16/80	-21.4
UN-78A	091N-49W-30CCBB	10/22/80	-21.0
UN-78A	091N-49W-30CCBB	03/06/81	-21.7
UN-78A	091N-49W-30CCBB	03/25/81	-21.9
UN-78A	091N-49W-30CCBB	05/05/81	-21.6
UN-78A	091N-49W-30CCBB	06/23/81	-21.7
UN-78A	091N-49W-30CCBB	07/07/81	-21.5
UN-78A	091N-49W-30CCBB	07/21/81	-21.6
UN-78A	091N-49W-30CCBB	08/11/81	-21.8
UN-78A	091N-49W-30CCBB	08/26/81	-21.8
UN-78A	091N-49W-30CCBB	09/16/81	-21.9
UN-78A	091N-49W-30CCBB	10/28/81	-21.4
UN-78A	091N-49W-30CCBB	06/15/82	-21.4
UN-78A	091N-49W-30CCBB	06/28/82	-21.5
UN-78A	091N-49W-30CCBB	07/13/82	-21.5
UN-78A	091N-49W-30CCBB	07/27/82	-21.5
UN-78A	091N-49W-30CCBB	08/10/82	-21.9
UN-78A	091N-49W-30CCBB	08/22/82	-22.1
UN-78A	091N-49W-30CCBB	09/09/82	-22.0
UN-78A	091N-49W-30CCBB	11/08/82	-20.8
UN-78A	091N-49W-30CCBB	05/31/83	-18.7
UN-78A	091N-49W-30CCBB	07/13/83	-17.6
UN-78A	091N-49W-30CCBB	07/25/83	-17.9
UN-78A	091N-49W-30CCBB	08/09/83	-18.1
UN-78A	091N-49W-30CCBB	08/21/83	-18.5
UN-78A	091N-49W-30CCBB	09/13/83	-19.2
UN-78A	091N-49W-30CCBB	10/18/83	-19.1
UN-78A	091N-49W-30CCBB	05/09/84	-16.3
UN-78A	091N-49W-30CCBB	05/22/84	-16.7
UN-78A	091N-49W-30CCBB	06/18/84	-16.3
UN-78A	091N-49W-30CCBB	07/02/84	-16.1
UN-78A	091N-49W-30CCBB	07/30/84	-16.7
UN-78A	091N-49W-30CCBB	08/13/84	-17.0
UN-78A	091N-49W-30CCBB	08/29/84	-17.2
UN-78A	091N-49W-30CCBB	10/02/84	-17.4
UN-78A	091N-49W-30CCBB	11/07/84	-17.3
UN-78A	091N-49W-30CCBB	05/20/85	-18.4
UN-78A	091N-49W-30CCBB	06/04/85	-18.8
UN-78A	091N-49W-30CCBB	06/11/85	-18.9
UN-78A	091N-49W-30CCBB	06/19/85	-19.0

OBSERVATION WELL WATER LEVELS

OBS_WELL	LOCATION	DATE	READING
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8:43 WEDNESDAY, OCTOBER 19, 1988 2

UN-78A	091N-49W-30CCBB	07/03/85	-18.8
UN-78A	091N-49W-30CCBB	07/16/85	-18.9
UN-78A	091N-49W-30CCBB	07/30/85	-19.5
UN-78A	091N-49W-30CCBB	08/19/85	-19.7
UN-78A	091N-49W-30CCBB	09/18/85	-19.3
UN-78A	091N-49W-30CCBB	10/24/85	-19.4
UN-78A	091N-49W-30CCBB	03/20/86	-20.2
UN-78A	091N-49W-30CCBB	03/31/86	-20.3
UN-78A	091N-49W-30CCBB	05/26/86	-18.9
UN-78A	091N-49W-30CCBB	06/10/86	-18.8
UN-78A	091N-49W-30CCBB	06/24/86	-18.8
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UN-78A	091N-49W-30CCBB	07/29/86	-19.0
UN-78A	091N-49W-30CCBB	08/12/86	-19.3
UN-78A	091N-49W-30CCBB	08/27/86	-19.3
UN-78A	091N-49W-30CCBB	05/06/87	-19.3
UN-78A	091N-49W-30CCBB	06/03/87	-19.3
UN-78A	091N-49W-30CCBB	07/01/87	-19.8
UN-78A	091N-49W-30CCBB	07/29/87	-20.3
UN-78A	091N-49W-30CCBB	08/25/87	-20.6
UN-78A	091N-49W-30CCBB	09/16/87	-20.8
UN-78A	091N-49W-30CCBB	10/28/87	-20.8
UN-78A	091N-49W-30CCBB	08/17/88	-22.4
UN-78A	091N-49W-30CCBB	10/03/88	-21.8

N= 79

8:43 WEDNESDAY, OCTOBER 19, 1988 3

A)

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5226-3, Daniel J Hanson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5226-3, Daniel J. Hanson, Route 1, Box 6A, Elk Point SD.

The Chief Engineer is recommending APPROVAL of Application No. 5226-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
October 25, 1988

SOUTH Dakota Department of
Water & Natural Resources

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

Leader-Courier
Box 310
Elk Point, SD 57025

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5226-3 to be published twice. Please publish the first notice on or before November 2, 1988 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Daniel J. Hanson, Route 1, Box 6A, Elk Point, SD 57025.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

October 28, 1988

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Daniel J. Hanson
Route 1, Box 6A
Elk Point, South Dakota 57025

Dear Mr. Hanson:

Your Application No. 5226-3 for a permit to appropriate water for
irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Leader-Courier printed at Elk Point

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures

Instruction to Newspaper - Publish first Notice on or before November 2, 1988
with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5226-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is given that Daniel J. Hanson, Route 1, Box 6A, Elk Point, South Dakota 57025,
_____ has filed an application for a water permit

to appropriate 1.11 cubic feet of water per second from one well, 80 feet deep, in the
Missouri-Elk Point Aquifer. The well is located in the NE $\frac{1}{4}$ Lot 2 SW $\frac{1}{4}$ Section 31, T91N,
R49W and will be used to irrigate 78 acres located in the S $\frac{1}{2}$ Lot 2 NW $\frac{1}{4}$, Lot 2 SW $\frac{1}{4}$
and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T91N, R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 5226-3 because 1) unappropriated water is available, 2)
existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and
4) it is in the public interest. This application will be considered by the Water
Management Board in Room Dakota A. Howard Johnson, 3300 W. Russell, Sioux Falls, SD on
December 7, 1988 at 10:00 am. The Chief Engineer's recommendation is not final
or binding upon the Board. The Board is authorized to 1) approve, 2) approve with
qualifications, 3) defer or 4) deny this application based on the facts presented at the
public hearing.

Any interested person that intends to participate in the hearing before the Board by
presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a
written petition with BOTH the applicant and Chief Engineer by November 25, 1988.
The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol,
Pierre SD (605 773-3352)". The petition may be informal, but must include a statement
describing the petitioner's interest in the application, the petitioner's reasons for
opposing or supporting the application and the signature and mailing address of the
petitioner or legal counsel if legal counsel is obtained. The applicant need not file a
petition. Contact the Water Rights Division to request information on this application or
to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the
applicant have the right to be represented by a lawyer. These and other due process
rights will be forfeited if not exercised. Decisions of the Board may be appealed to the
Circuit Court and State Supreme Court as provided by law. The time of the hearing will
also be automatically delayed for at least twenty days upon written request to the Chief
Engineer from the applicant or a petitioner. The request for a delay must be received by
November 25, 1988.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15;
46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14,
46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2,
46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14;
~~(future use)~~ 46-6-38 thru 46-6-40; ~~(transfer lands)~~ 46-6-33 thru 46-6-35; ~~(10,000 AF)~~
~~46-6-20.1, 46-6-21.1; and Board Rules ARSD 74:02:01:01 th 74:02:01:15; (future~~ ~~74:02:01:15:02 thru 74:02:01:15:05.~~

No. 5 226 -3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby

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

Water was taken from the 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 City

of Elk Point

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

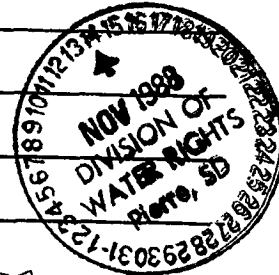
Thursday, November 3

Thursday, November 10

Lester E. Emerson
(Signature)

Publisher Editor
(Title)

November 10, 1988
(Date Signed)



Cost of Printing: 37.93

petitioner. The request for a delay
must be received by November 25,
1988.

This application is made pursu-
ant to SDCL 46-1-1 thru 46-1-9,
46-1-12 thru 46-1-15; 46-2-3.1, 46-
2-9, 46-2-11, 46-2-13, 46-2-17; 46-
2A-1 thru 46-2A-10, 46-2A-12, 46-
2A-14, 46-2A-15; 46-5-1 thru 46-5-
11, 46-5-13 thru 46-5-15, 46-5-24,
46-5-25, 46-5-30.2, 46-5-30.4, 46-5-
31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-
10, 46-6-13, 46-6-14; and Board
Rules ARSD 74:02:01:01 thru
74:02:01:15.

RON DUVALL
Natural Resources Engineer
Pub. Nov. 3 and 10.

NOTICE OF HEARING ON
APPLICATION NO. 5226-3 TO
APPROPRIATE WATER

Notice is given that Daniel J.
Hanson, Route 1, Box 6A, Elk
Point, South Dakota 57025, has
filed an application for a water
permit to appropriate 1.11 cubic
feet of water per second from one
well, 80 feet deep, in the Missouri-
Elk Point Aquifer. The well is lo-
cated in the N $\frac{1}{2}$ Lot 2 SW $\frac{1}{4}$ Sec-
tion 31, T91N, R49W and will be
used to irrigate 78 acres located in
the S $\frac{1}{2}$ Lot 2 NW $\frac{1}{4}$, Lot 2 SW $\frac{1}{4}$
and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31,
T91N, R49W.

Pursuant to SDCL 46-2A-2, the
Chief Engineer of the Water
Rights Division recommends AP-
PROVAL of Application No. 5226-
3 because 1) unappropriated water
is available, 2) existing rights will
not be unlawfully impaired, 3) it is
a beneficial use of water and 4) it
is in the public interest. This ap-
plication will be considered by the
Water Management Board in
Room Dakota A, Howard Johnson,
3300 W. Russell, Sioux Falls, S.
D. on December 7, 1988 at 10:00
a.m. The Chief Engineer's recom-
mendation is not final or binding
upon the Board. The Board is
authorized to 1) approve, 2) ap-
prove with qualifications, 3) defer
or 4) deny this application based
on the facts presented at the pub-
lic hearing.

Any interested person that in-
tends to participate in the hearing
before the Board by presenting
evidence or cross-examining wit-
nesses according to SDCL 1-2-2,
must file a written petition with
BOTH the applicant and Chief En-
gineer by November 25, 1988. The
Chief Engineer's address is "Wa-
ter Rights Division, Foss Building,
523 E. Capitol, Pierre, S. D. (605-
773-3352)". The petition may be
informal, but must include a state-
ment describing the petitioner's
interest in the application, the pe-
titioner's reasons for opposing or
supporting the application and the
signature and mailing address of
the petitioner or legal counsel if
legal counsel is obtained. The ap-
plicant need not file a petition.
Contact the Water Rights Division
to request information on this ap-
plication or to assure access to the
hearing by the handicapped.

This hearing is an adversary
proceeding. Any person filing a
petition and/or the applicant have
the right to be represented by a
lawyer. These and other due pro-
cess rights will be forfeited if not
exercised. Decisions of the Board
may be appealed to the Circuit
Court and State Supreme Court as
provided by law. The time of the
hearing will also be automatically
delayed for at least twenty days
upon written request to the Chief
Engineer from the applicant or a



Department of Water & Natural Resources

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

MAR 10 1989

Daniel J. Hanson
Rt 1 Box 6A
Elk Point, SD 57025

Dear Mr. Hanson:

Enclosed is Water Permit No. 5226-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in Water Permit No. 5226-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

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

JH:mra

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

South Dakota

5226-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.
February 1, 1991

DAN HANSON
RR 1 BOX 6A
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit No(s) 3005-3, 4255-3, 4702-3, 5226-3 and 1990 Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 3005-3, 4255-3, 4702-3, 5226-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 4702-3, 5226-3 qualification:

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

The hearing will also be to determine if Permit No(s) 3005-3, 4255-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

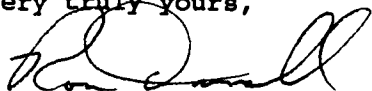
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 4702-3, 5226-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 3005-3, 4255-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

Very truly yours,



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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 20, 1991

3005-3
4255-3
4702-3
5226-3

Daniel J Hanson
RR #1 Box 6A
Elk Point, SD 57025

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and chemical application data for Water Permit Nos. 3005-3, 4255-3, 4702-3 and 5226-3. 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



5226-3

January 29, 1993

NOTICE

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

TO: DAN HANSON
RR 1 BOX 6A
ELK POINT SD 57025

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

RE: Violation of Water Permit No(s) 3005-3 & 4255-3, 4702-3 & 5226-3 and 1992 Irrigation Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3005-3 & 4255-3, 4702-3 & 5226-3. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 3005-3 & 4255-3 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) 4702-3 & 5226-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, at the 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4702-3 & 5226-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3005-3 & 4255-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 1993

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: DAN HANSON
RR 1 BOX 6A
ELK POINT SD 57025

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 

SUBJECT: One Year Suspension of Water Permit No. 4702-3 &
5226-3

Pursuant to the provisions of the notices dated January 29, 1993, and following the hearing of March 3, 1993, the Water Management Board has ordered:

That Water Permit No. 4702-3 & 5226-3 be SUSPENDED until December 31, 1993. Suspension of the permit does not excuse the permit owner from the requirement to submit the 1992 irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1993 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension(s), you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5-6, 1993 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire prior to the March Board meeting.

CERTIFICATION

I hereby certify that on March 9, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1993, regarding NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT'S addressed as stated below:

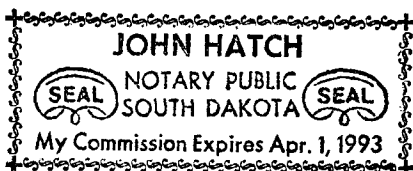
4651-3: Donald Abraham, RR 2, Box 64, Elk Point, SD 57025.
833-2: Sadie & Bob Assman, RR 3, Box 144, Winner, SD 57580.
754-1: Lloyd & Barbara Campbell, HC 62, Box 8, McIntosh, SD 57641.
978-2: Robert Christensen, HCR 81, Box 47, Kennebec, SD 57544.
2080-2: Gary L. Dickinson, HC 72, Box 23, Tuthill, SD 57574.
4702-3, 5226-3: Dan Hanson, RR 1, Box 6A, Elk Point, SD 57025.
5070-3: Mike Wurtz-Jamesville Colony, RR 1, Box 51, Utica, SD 57067.
884B-1: Dale Johnson, Mgr. RR 3, Box 23AA, Vale, SD 57788.
1252-3: Dave Kokesh, Renter, Rt 1, Wagner, SD 57380.
4948-3: Gerald A. Person, RR 2, Box 123, Britton, SD 57430.
751-1: Prairie View, Inc., HC 75, Box 154, Sturgis, SD 57785.
2137-2: Frank Simpson, 1116 Jackson Bl., Rapid City, SD 57702.
1028-3: William M. Smith, Rt 1, Box 136, Mission Hills, SD 57046.
200-3: Teresa Wessel, RR 1, Box 127, Woonsocket, SD 57385.
5482-3: Wiese Brothers Farms, RR 1, Box 36A, Twin Brooks, SD 57269-9801.
1341-3: Daniel J. Kamphuis, 8513 Keiser SE, Alto, MI 49302-9728.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1993.



John Hatch
Notary Public



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 19, 1993

4702-3
5226-3

Dan Hanson
RR #1 Box 6A
Elk Point, SD 57025

Dear Mr. Hanson:

This will acknowledge receipt of your 1992 Irrigation Questionnaires. However, receipt of the questionnaires does not alter the March 3, 1993, Water Management Board decision to **suspend** Water Permit Nos. 4702-3 and 5226-3 for one year.

As stated in our March 9, 1993 Notice to you, suspension means water may not be pumped during the 1993 irrigation season. If you wish to petition the Water Management Board to rescind the suspensions, you will need to submit a letter to our office requesting time on the May 5-6, 1993, Board agenda. The letter should include your reasons for not completing the irrigation questionnaires prior to the March Board meeting.

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

Very truly yours,

Ron Duvall, Natural Resources Engineer
Water Rights Division



5226-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 3, 1993

NOTICE

TO: Daniel J Hanson, RR 1 Box 6A, Elk Point, SD 57025

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Permit Nos. 4702-3
and 5226-3

The hearing on your April 26, 1993, request to the Water Management Board to reconsider suspension of Water Permit Nos. 4702-3 and 5226-3 has been scheduled for 9:00 am, May 5, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD. On May 3, 1993, Ron Duvall contacted you via telephone and informed you of the time and date of the hearing.

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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permit, defer action or take no action. The hearing is an adversary proceeding and any party 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. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on May 3, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 3, 1993, regarding Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit Nos. 4702-3 and 5226-3 addressed as stated below:

Daniel J. Hanson, RR 1, Box 6A, Elk Point, SD 57025.

Copy of "Notice" and copy of letter Daniel J. Hanson submitted to our office sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th day of May, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

Daniel J Hanson
Water Permit Nos. 4702-3 & 5226-3

GENERAL

Water Permits held by: Daniel J Hanson
RR #1 Box 6A
Elk Point, SD 57025

Water Permits Approved: May 1, 1981 (4702-3)
December 8, 1988 (5226-3)

Permits Approved with the irrigation questionnaire qualification.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Ques. Returned</u>	<u>Date of any Board Action</u>
1988	October, 1988	December 5, 1988*	none
1989	October, 1989	January 17, 1990	none
1990	October, 1990	February 19, 1991	none
1991	October, 1991	November 8, 1991	none
1992	October, 1992	March 17, 1993	March 3, 1993

*Only a questionnaire for Permit No. 4702-3 was required - Water Permit No. 5226-3 was not approved until December, 1988.

PAST VIOLATION:

1. 1992 Irrigation Questionnaire Violation

January 29, 1993, Mr. Hanson was sent a "Notice of Violation" for nonreturn of his 1992 irrigation questionnaires and of the hearing scheduled before the Water Management Board to be held March 3, 1993. The "Notice" was sent Certified Mail, Return-Receipt requested. The Return Receipt card was signed by Kathryn Hanson, February 1, 1993.

March 3, 1993, the Water Management Board SUSPENDED Water Permit Nos. 4702-3 and 5226-3 until December 31, 1993.

March 9, 1993, Mr. Hanson was notified of the Board action to suspend his permits for one year.

March 17, 1993, Mr. Hanson submitted his 1992 irrigation questionnaires.

March 19, 1993, Mr. Hanson was notified that although his questionnaires had been received, it did not alter the March 3rd decision of the Board to suspend his permits. The letter also informed him of what he needed to do if he wished to irrigate during 1993.

May 3, 1993, a letter was received from Mr. Hanson requesting a hearing before the Board.



April 26, 1993

Ron DuVall, Natural Resource Engineer,

I am writing concerning suspension of my irrigation permits # 4702-3 and 5226-3. I failed to fill out my 1992 Irrigation Questionnaire on time. I am sorry for this happening and it will not happen again.

I hope the Water Management Board will reinstate my permits at the hearings May 5+6.

Thank You,

Daniel J. Hanson

Route 1 Box 6A

Elk Point, S. Dak. 57025



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 10, 1993

NOTICE

TO: Daniel J Hanson, RR #1 Box 6A, Elk Point, SD 57025

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

SUBJECT: Reinstatement of Water Permit Nos. 4702-3 & 5226-3

Pursuant to your letter of May 3, 1993, and following a hearing by the Water Management Board May 6, 1993, the Board rescinded the March 3rd motion to suspend Water Permit Nos. 4702-3 and 5226-3. This action reinstated Water Permit Nos. 4702-3 and 5226-3 effective immediately.

The Water Management Board took into consideration that the irrigation questionnaires were now on file in the Division office and that this was your first violation. Your attendance at the hearing to explain the circumstances involving the delay in returning the questionnaires assisted the Board in making a decision.

The Board's motion to rescind the suspension of your water permits for the 1993 irrigation season included a statement that "failure to submit future required irrigation questionnaires will result in a one year suspension or possible cancellation of the permit(s) without reinstatement."

Violations of any qualifications on irrigation permits and subsequent Board action become part of the permanent record. This notice will be placed in Water Permit Nos. 4702-3 and 5226-3 and failure to submit future irrigation questionnaires will result in past violations being reviewed by the Water Management Board.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on May 10, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 10, 1993, regarding Reinstatement of Water Permit Nos. 4702-3 & 5226-3 addressed as stated below:

Daniel J. Hanson, RR 1, Box 6A, Elk Point, SD 57025.

Copy Sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of May, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



5226-3

January 30, 1996

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

TO: DAN HANSON, RR 1 BOX 6A, ELK POINT, SD 57025

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

SUBJECT: Violation of Water Permit No(s) 4255-3, 2935-3, 2936-3, 3005-3, 4702-3 & 5226-3.

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 4255-3, 2935-3, 2936-3, 3005-3, 4702-3 & 5226-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 4255-3, 2935-3, 2936-3, 3005-3, 4702-3 & 5226-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in the 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) 4255-3, 2935-3, 2936-3, 3005-3, 4702-3 & 5226-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

February 21, 1996

Daniel Hanson
RR 1 Box 6A
Elk Point, SD 57025

RE: Water Permit Nos. 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 and 5226-3.

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, **Notice of Violation of Water Permit Nos. 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 and 5226-3.**

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



5226-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: DAN HANSON, RR 1 BOX 6A, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in the 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) 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (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

March 2, 1999

Dan Hanson
RR 1 Box 6A
Elk Point, SD 57025

RE: Water Right/Permit Nos. 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right/Permit Nos. 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3.

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



5226-3

**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: DAN HANSON, RR 1 BOX 6A, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3 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 the 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) 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 & 5226-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office 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 at (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 25, 2000

Dan Hanson
47644 327th St
Elk Point, SD 57025

RE: Water Permit/Right Nos. 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 and 5226-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2935-3, 2936-3, 3005-3, 4255-3, 4702-3 and 5226-3.

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**

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

JUN 20 2000

6190-3

Dan Hanson
47644 327th St.
Elk Point, SD 57025-9705

Dear Mr. Hanson:

Enclosed are Water Permit and Water License No. 6190-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6190-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

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enclosures

NOTE: The applicable portions of Water Permit No. 5226-3 have been incorporated into this Water License No. 6190-3.