

1. Considered February 5, 1959 Appl. No. 563-3
2. Name of Applicant L.S. Felt, L. B. & B. B. Felt
3. Post Office Address RFD #1, Williams, SD
4. Amount of water claimed 4, 60 CFS
5. Source of water supply Ground water
6. Water to be used for Irrigation
Acres to be irrigated 296
7. Water to be diverted and used in Brodie County about
1 miles of Trust Not Feasible
8. Proof of Publication Received
Not Received ✓
9. Application Approved ✓
Subject to Ref P.
Not approved
Action deferred

10. Remarks:

No. 262-3Water Division No. 1 James Rice District
(Blanks to be Filled by the Engineer for the W. R. C.)

JAN 1 1938

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant LeRoy and Buell Slepikas
 Postoffice address RFD 1 Huron, County Beadle, State South Dakota

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 and direct labor(b) Cash on hand, \$ 2,000.00

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Slepikas #33. Amount of water claimed 1,800 GPM cubic feet per second 44. Source of water supply Groundwater5. Location of point of diversion From NE Corner Sec 32 S. 30° 30' W. 80 rds.

on bank County.

6. Annual period or periods during which water is to be used May 1 - Nov. 1

7. To be used for:

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

(a) Number of acres to be irrigated 296 acres.(b) Legal subdivisions to be irrigated NW 1/4 33 & NE 1/4 32 T112N-R61W

(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.) None

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

427-3
Map No.

LAND TO BE IRRIGATED

NW $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 32)	39.0 ac.
NE $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 32)	38.0 ac.
SE $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 32)	36.0 ac.
SW $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 32)	37.0 ac.
NW $\frac{1}{4}$	NW $\frac{1}{4}$	Sec. 33)	37.0 ac.
NE $\frac{1}{4}$	NW $\frac{1}{4}$	Sec. 33)	39.0 ac.
SE $\frac{1}{4}$	NW $\frac{1}{4}$	Sec. 33)	40.0 ac.
SW $\frac{1}{4}$	NW $\frac{1}{4}$	Sec. 33)	30.0 ac.
			296 ac.

all in T 112N, R 61W

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.)

Turbine

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.....FEET 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.....5.....years.
 11. Time required for complete application of water to the proposed beneficial use.....5.....years.
 12. Choice of newspaper for publication of notice of intention to appropriate.....Huronite.....

STATE OF SOUTH DAKOTA

County of Beadle

ss.

I, L. S. Stephens, Earl Stephens, Le Roy Stephens & Bruce Stephens, 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.

Bruce Stephens
Le Roy Stephens
 Subscribed and sworn to before me this

Signed

9th day of January 1959

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

st.

Pierre, South Dakota,

January 10

19 *59*

This is to certify that the foregoing application was received by the Commission at *10:00* o'clock

9 m. upon the *10* day of *January*, 19 *59*

State Water Resources Commission

By:

J. O. Bremer

Chief Engineer, Executive Officer

Number of permit *563-3*

Date of first receipt of application *January 10*, 19 *59*

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 *January 10*, 19 *59*

Approved *February 5*, 19 *59*, Recorded in Book *5* Page *116*

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

August 5, 19 *61*

2nd. The whole of said work is to be completed on or before *February 5*, 19 *64*

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

February 5, 19 *64*

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 *4.0* 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 *February 5*, 19 *64*; said water to be used during the following described annual period:

May to October inclusive

Witness my hand this *18* day of *March*, 19 *59*

State Water Resources Commission

By:

J. O. Bremer

Chief Engineer, Executive Officer

Certificate of Construction issued *SEPTEMBER 27*, 19 *67*

Water License issued *SEPTEMBER 27*, 19 *67*

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32" Depth 120
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 16" Thickness of casing 139/8
 Length of casing 120 If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen Perforated steel
 Size of perforated screen 16" 120'
 (diameter) (length)
 Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 61' Character of water bearing materials
 50-61 Lignite
 61-64 Sand (Fine) 64-76 Sand (Fine to Medium fine)
 76-91 Sand (Fine to very coarse) 91-117 Gravel (Very coarse)
 117 Shale
 Thickness of water bearing material

(d) Pump and Motor

Type of pump Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Unknown , size
 Kind of motor "
 (gasoline, electric, diesel, etc.)
 Horsepower , Name of Motor

(e) Complete well

Not completed

Capacity at drawdown of Estimated cost

(f) Owner of land upon which well is located

Buell & LeRoy L. Slepikas
 Name

RFD 1 Hiron, S. Dak.

Address

(g) Distance to nearest existing

On same owner's property rods. On property owned by others 250 rods

Permit No. 563-3Water Division No. 3 JAMES RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That L.S., Edith, Le Roy and Buell Slepikasof Huron, County of Beadle, and State of South Dakotathe holder E. of Permit No. 563-3, Issued upon Application No. 563-3, bearing date of priority of January 10, 1959authorizing the diversion of 4.0 cu. ft. per second of the waters of ground waterCounty of Beadle, State of South Dakota, at a point S 3°30' W, 80 rods from the NE Corner, Section 32, T112N, R61Wfor 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 satisfactory condition for diverting and conveying to the place of intended use 4.0 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 T112N, R61WSection 32 NE 1/4 150 acresSection 33 NW 1/4 146 acresTotal 296 acresWitness my hand this 27th day of September A. D. 1967

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 563-3.

WHEREAS, On the 10th day of January A. D. 1959
L.S., Edith, Le Roy and Buell Slepikas
 of Huron County of Beadle and State of
South Dakota duly made application (No. 563-3) to us for a permit to use 4.00
 cubic feet per second of the waters of ground water
 County of Beadle, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 18th day of March A. D. 1959
 Permit No. 563-3 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 5th day of
February A. D. 1964 and for the application to beneficial use of said
 water on or before the 15th day of February A. D. 1964
 and,

WHEREAS, On the 15th day of August A. D. 1967
 the holder... of said permit duly made proof of the completion of adequate works for the diversion of
4.0 cubic feet per second of said waters, as evidenced by our Certificate No. 563-3
 dated September 27, 1967 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 4.0 cubic feet per second of water, with date of
 priority of January 10, 1959 ~~xxxx~~ and,

WHEREAS, On the 15th day of August A. D. 1967
 proof was duly made of the application to beneficial use of 4.0 cubic feet per second of said water;
for irrigating 296 acres in the NE $\frac{1}{4}$, Section 32, and the NW $\frac{1}{4}$, Section 33,
T112N, R61W.

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 L.S. Edith, Leroy and Buell Slepikau
of Huron the holder A and owner A of said permit No. 56393
a water right, dating from January 10, 1959 to the use of 4.0
cubic feet per second of the waters of ground water
In the County of Beadle and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point S⁰ 30' W, 80 rods from
the NE corner, Section 32, T112N, R61W
and conducted to and upon the NE¹, Section 32 and NW¹, Section 33, T112N, R61W

for the purpose of irrigation, subject to any limitations listed in
the Permit to Appropriate water, and

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
adapcted 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 27th day of September A. D. Nineteen
Hundred and Sixty-seven

State Water Resources Commission

By:

J.W. GRIMS
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 _____

(First Publication before January 15, 1959.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 10, 1959

Notice is hereby given that L. S., Edith, LeRoy and Buell Slepikas whose postoffice address is R. F. D. #1, Huron 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 4.0 cubic feet of water per second of time from the ground water through the Slepikas #3 the point of diversion of which is to be located on the ~~NE 1/4 of the NE 1/4 of Section 32~~ parts of ~~NE 1/4 Sec. 32 and NW 1/4 Sec. 32~~ both in T. 112N, R. 61W Twp. 112N Range 61W Said water to be used for the purpose of providing irrigation on the following described land:

NE 1/4 Sec. 32 and NW 1/4 Sec. 32 both in T. 112N, R. 61W

and for

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 5 day of February, 1959, at 10:00 A.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:

~~CHAS. E. WYBORN~~
LES WYBORN
Water Rights Engineer

cc: Mr. Robert D. Lusk, Publisher
The Daily Plainsman
Huron, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Grace LeGrand being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Daily Plainsman 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 Huron County of Readle and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Jan. 14, 21, 28 & Feb. 4

in each and every issue of the full number thereof, the first publication being made on the 14 day of Jan. 1959 and the last publication on the 4 day of Feb. 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

Grace E. Land

Subscribed and sworn to before me this 4 day of Feb. A. D. 19 59

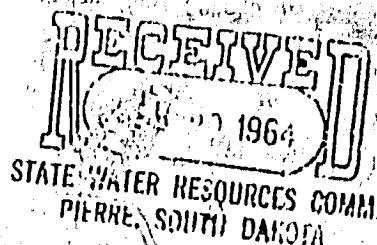
Notary Public Beale County, S. D.

RECEIVED
JUN 1959

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

PAGE NINETEEN

P.P. 1-14-37
APPROPRIATION OF WATER
Office of State Water Resources
Commission
Pleasanton, California
Notice hereby given that E. B.
Edlitz, LeRoy A. Huchel, Stephen
whereas the above named persons are P.D.
1. Huchel has filed an application in accordance with the provisions of the State Water Rights Act of Southern California Chapter 1096, to appropriate water for use in public irrigation which would require time from the ground waters of the Stanislaus River to the point of diversion of which it is so provided in the bill of the Senate, introduction No. 1212N (change 6117) S.A.S. Water to be used for the purpose of providing irrigation on parts of the following described lands:
NE 1/4 Sec. 32 and NW 1/4 Sec. 33 both in T. 12N., R. 6E.,
This application will be taken up by the State Water Resources Commission at their office at Pleasanton for consideration upon the 8th day of February, 1937, at 10:00 A.M. All interested persons may appear and be heard.
Appropriate action will be taken by the State Water Resources Commission after suitable time has elapsed for the consideration of any of all information presented.
STATE WATER RESOURCES COMMISSION
BY: LES WYBOHNY
Water Rights Engineer
No. 14 (adv)

Permit No. 563-3Water Division No. 3 J. W. Quinn Water District

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.)

Wm. S. Doherty

(Date)

Oct 18, 1964

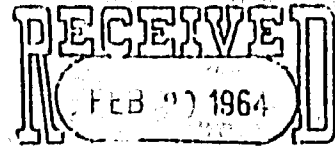
TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 18 day of Oct 1964, at Slipkirk #3 County of Beadle State of South Dakota, before J. W. Quinn (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 4 cubic feet per second of the waters of Ground water. In accordance with the terms and conditions of Permit No. 563-3 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are L. S. Edith Leroy Slipkirk
Wm. S. Doherty Ret - 1
- The use to which said water has been applied is irrigation
- The amount applied to beneficial use is 4 cu ft per sec
- The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) NW 1/4 of 33 & NE 1/4 of 32 T112N - R61W
- The name of the canal or ditch or other works by which said water is conducted to such place of use is
- The right to take the water from such works is based upon permit No. 563-3
- The source of supply from which such water is diverted is irrigation well
- The date of priority which said user is prepared to establish is July 1, 1939

(Sign)

L. S. Edith Leroy Slipkirk
By Buck Slipkirk

Permit No. 563-3Water Division No. 3 Jones River Water DistrictSTATE WATER RESOURCES COMMISSION
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 Slip 113

4 cu. ft. per second of the waters of the state from well
through the Slip 113 Irrigation System
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.

- The name of the person or corporation holding said permit is A. S. Edith, Son & Buell Slip 113
- The postoffice address of such person or the place of business of such corporation is Wagon Route 1
County of Beadle State of South Dakota
- The number of such permit is 563-3 and the date set for the completion of such work is March 1, 1964
- Said water to be used for irrigation purposes.
- 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 4 cubic feet per second.
- The amount of land for which said water is available is 296 acres,
particularly described as follows: N 1/4 of 33 & NE 1/4 of 33 T112 N - R6 E

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

(Signature of Owners)

A. S. Edith
Buell Slip 113
Wagon Route 1
Beadle County

Permit No. 563-3Water Division No. 3 JAMES 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 L.S. EDITH,
 10....., I have this day made a thorough examination of the diversion works constructed by LEROY & BUELL SLEPIKAS, of HURON
BEADLE County, South Dakota, holder of Permit No. 563-3, issued
 upon Application No. 563-3, bearing date of priority of JANUARY 10, 1959 authorizing the
 diversion of 4.0 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: 120' 16" WELL BYRON JACKSON 8" 6 STAGE (12"
BOWLS) MODEL 3KH PUMP, POWERED BY D330 CATERPILLAR ENGINE
RATED @ 120 H.P. 1320' 8" STEEL PIPE TO PIVOT OF 1285' VALVE
SELF PROPELLED WITH 1/4" TO 5/8" NOZZLES @ 30' SPACINGS. 1/4 MILE
7" MAINLINE, 1/3 MILE 6" MAINLINE, 1/4 MILE 5" & 1/4 MILE 4" SPRINKLER
LINES & VERMEER #140 BOOM. * EXCELLENT
 and the system is in the following condition: EXCELLENT

The point of diversion is located 330' S 30° 30' W, 80 RODS FROM
NE CORNER, SECTION 32, T12N, R61W

The works are capable of diverting and conveying to the place of use 4.0 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: NE 1/4 SECTION 32 - 150 ACRES,
NW 1/4 SECTION 33 - 146 ACRES, ALL IN T12N, R61W.

comprising a total of 296 acres of land.

The domestic use intended comprises

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

* SPRINKLER LINES & VERMEER BOOM USED ON
WATER RIGHT 149.3.

Witness my hand, this 15TH day of AUGUST, A. D. 1967

—SEAL—

Burton J. Jones
 Examining Engineer
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

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

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

March 23, 1987

LEROY/BUELL SLEPIKAS
RR. #2 BOX 245
HURON, SD 57350

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 563-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of 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 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, 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). 563-3 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.

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

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

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

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

April 13, 1987

149-3

563-3

LeRoy & Buell Slepikas
RR #2 Box 245
Huron, SD 57350

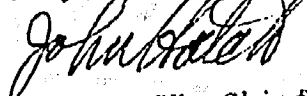
Dear Gentlemen:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right Nos. 149-3 and 563-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,



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



563-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: DENIS SLEPIKAS, 1250 OHIO SW, HURON, SD 57350

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 563-3 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) 4482-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4482-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 563-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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.

563-3

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563-3
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Denis Slepikas
1250 Ohio SW
Huron SD 57350

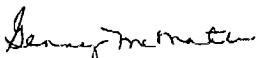
Dear Mr. Slepikas:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 563-3 and 4482-3.

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