

1. Considered April 8, 1959 Appl. No. 580-5

2. Name of Applicant Pharmer James Nelson

3. Post Office Address Volley, South Dakota

4. Amount of water claimed 2.22 cfs

5. Source of water supply ground water

6. Water to be used for irrigation
Acres to be irrigated 160

7. Water to be diverted and used in Bradley County about
13 miles northwest of Harmon

8. Proof of Publication

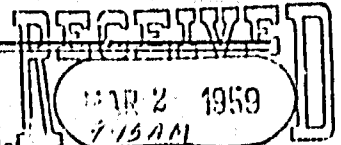
Received 1
Not Received 1

9. Application

Approved 1
Subject to Rec. of P. of Publ.
Not approved 1
Action deferred 1

10. Remarks:

*Rec'd for Publ.
4/14/59*



No. 580-3
 Water Division No. 3 James River District
 (Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant Clarence James Hohm
 Postoffice address Yale, County Beadle, State S. Dak.

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

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

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

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

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

2. Name of diversion work James Hohm #3 Clarence Jimmy Hohm #1

3. Amount of water claimed 1000 Gal/ minute cubic feet per second or 2422 cfs.

4. Source of water supply ground water

5. Location of point of diversion S 51° 04' E 2100 feet from the N 45° 00' Sec. 4, T112N, R 60W on bank County.

6. Annual period or periods during which water is to be used May through October

7. To be used for: Combination gravity and sprinkler

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? sprinkler
160 acres.

(b) Legal subdivisions to be irrigated NE 1/4 sec 4- T 112N- R 60W

(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.)

III. 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

No. 441-3
Map

8. Estimated cost of work:

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

(b) Pumping plant, \$6,000.00

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

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

Rock, \$-----

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

Total, \$-----

9. Description of diversion works:

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

II. Dimensions of works:

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

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

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT 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 ----- 1 ----- years

11. Time required for complete application of water to the proposed beneficial use ----- 1 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----
Huronite and Daily Plainsman, Huron, S. D.

STATE OF SOUTH DAKOTA

County of ----- Beadle ----- ss.

I, Charles Jimmy Holm, being first duly sworn on my oath depose and say That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Charles Jimmy Holm

Subscribed and sworn to before me this 27th day of July 1959

Herman H. Sander
Notary Public (or other qualified officer.)

FORM 2A -- Wells (Supplement)

9. Continued

III Well Specifications

(a) Hole size and casing

Size of drill hole or excavation 32"

Depth 85'

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

Size of casing 16", Thickness of casing 10 ga.
Length of casing 45'. If collection gallery, length,
size, and depth of gallery _____

(b) Screens

Type of perforated screen shutter 3/16"

Size of perforated screen 16" 40'
diameter length

Thickness of gravel pack 8", length of gravel
pack 85'

(c) Water Bearing Materials

Distance to water 15'

Character of water bearing materials 35' medium fine
sand to medium gravel

Thickness of water bearing material 35'

(d) Pump and Motor

Type of pump deep well turbine
(centrifugal, propellor, mixed flow, etc.)

Name of pump B.J., size 8"

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

Horsepower 60

Name of motor U.S.

(e) Complete well

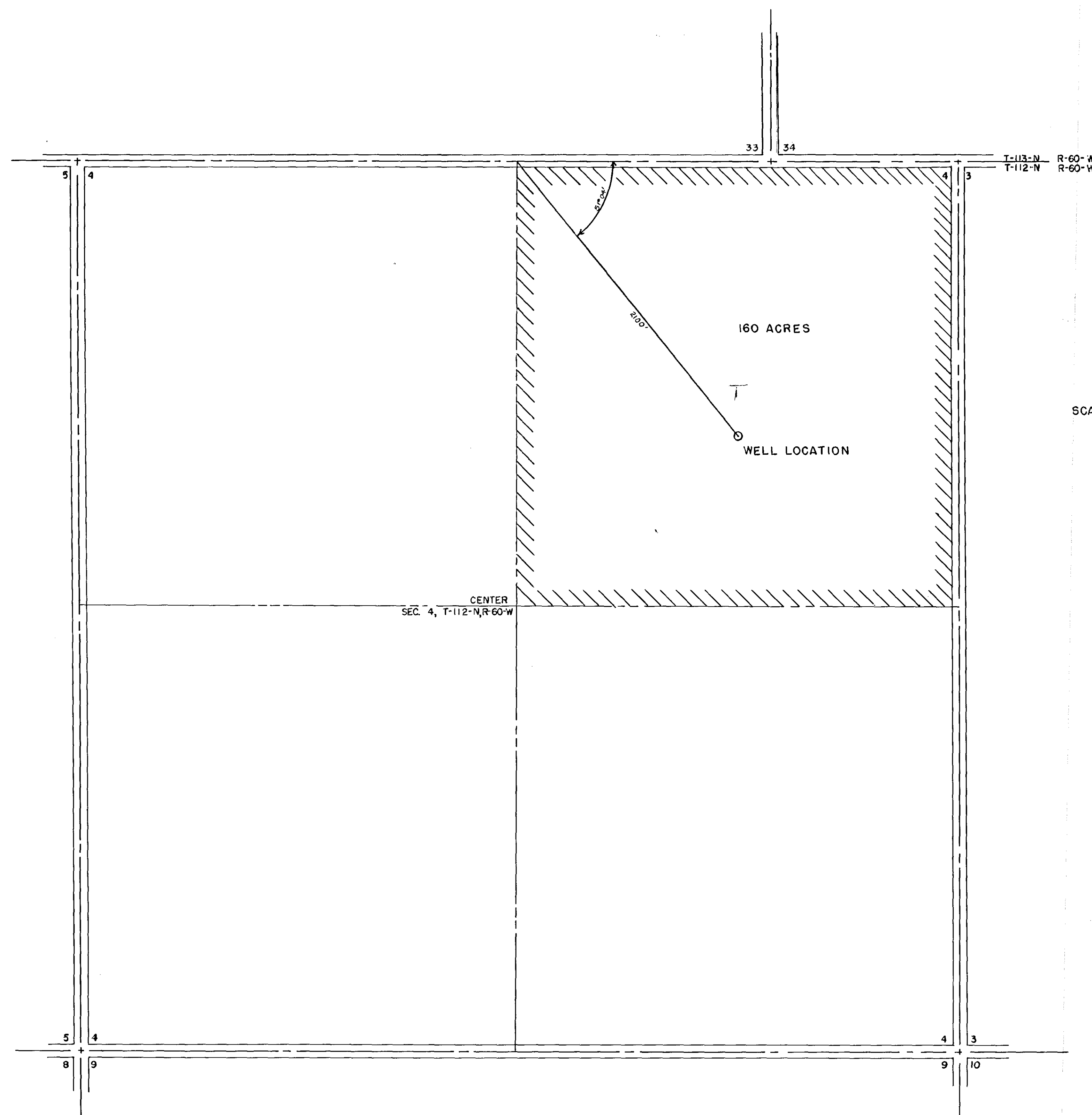
Capacity 1150 Gal/min. at drawdown of 35'

Estimated cost \$6000.

(f) Owner of land upon which well is located Clarence James
name

Hohm, Yale, Beadle County, S. Dak.
address

(g) Distance to nearest existing wells; on same Owner's property
2 1/2 miles ~~XXXX~~. On property owned by others _____ rods.



SCALE 1" = 400'

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF CLARENCE JAMES HOHM OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 27, 1959 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THERE OF.

WITNESS MY HAND AND SEAL THIS 27TH DAY OF FEBRUARY, 1959.

Harlan W. Meyer
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED HARLAN W. MEYER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND SEAL THIS 27TH DAY FEBRUARY 1959.

Shannon H. Rader
NOTARY PUBLIC

MY COMMISSION EXPIRES June 13, 1961.

MAP

SHOWING AREA AND WELL LOCATION WHERE WATERS
WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE WATER

OWNER
CLARENCE J. HOHM

SURVEYOR
HARLAN W. MEYER

DATE
FEB 27, 1959

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Sioux Falls } ss.

Pierre, South Dakota, March 6, 1959

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock
9 a.m. upon the 2 day of March, 1959

State Water Resources Commission

By: J. C. Palmer
Chief Engineer, Executive Officer

Number of permit 580-3

Date of first receipt of application March 2, 1959

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 March 2, 1959

Approved April 8, 1959, Recorded in Book 5 Page 145

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

October 8, 1959

2nd. The whole of said work is to be completed on or before April 8, 1960

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

April 8, 1961

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.22 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 April 8, 1961; said water to be used during the following described annual period:

May to October inclusive

Witness my hand this 12 day of May, 1959

State Water Resources Commission

By: J. C. Palmer
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 29, 1963

Water License Issued OCTOBER 29, 1963

Permit No. 580-2Water Division No. 3 JAMES RIVER Water District.**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Clarence James Hohm

of Yale, County of Beadle, and State of South Dakota, the holder of Permit No. 580-3, issued upon Application No. 580-3, bearing date of priority of March 2, 1959, authorizing the diversion of 2.22 cu. ft. per second of the waters of ground water County of Beadle, State of South Dakota, at a point S 51°04' E, 2100 feet from the NE $\frac{1}{4}$ Corner, Section 4, T112N, R60W for irrigation

purposes, 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 2.22 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: for irrigating the NE $\frac{1}{4}$, Section 4, T112N, R60W

Witness my hand this 1 day of October A. D. 1960

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 580-3

WHEREAS, On the 2nd day of March A. D. 1959
Clarence James Hohm
 of Yale County of Beadle and State of
South Dakota duly made application (No. 580-3) to us for a permit to use 2.22
 cubic feet per second of the waters of ground water
 County of Beadle, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 12th day of May A. D. 1959
 Permit No. 580-3 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 8th day of
April A. D. 1960 and for the application to beneficial use of said
 water on or before the 8th day of April A. D. 1961
 and,

WHEREAS, On the 3rd day of October A. D. 1968
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.22
 cubic feet per second of said waters, as evidenced by our Certificate No. 580-3
 dated October 29, 1968 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.22 cubic feet per second of water, with date of
 priority of March 2, 1959 and,

WHEREAS, On the 3rd day of October A. D. 1968
 proof was duly made of the application to beneficial use of 2.22 cubic feet per second of said water;
 for irrigating 160 acres in the NE 1/4, Section 4, T112N, R60W

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 Clarence James Hohm
of Yale the holder and owner of said permit No. 580-3
a water right, dating from March 2, 1959 to the use of 2.22
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
necessary for the purposes hereinbelow mentioned, to be diverted at a point S 51° 04' E, 2100 feet
from the N.E. corner, Section 4, T112N, R60W
and conducted to and upon the NE 1/4, Section 4, T112N, R60W

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
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 29th day of October A. D. Nineteen
Hundred and Sixty-eight

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

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 March 13, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 6, 1959

Notice is hereby given that Clarence James Hohn whose postoffice address is Yale 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 2.22 cubic feet of water per second of time from xx ground water through the Clarence Jimmy Hohn #1, the point of diversion of which is to be located xxxx xxxx in the S $\frac{1}{2}$ x of the NR $\frac{1}{4}$ of Section 4 Twp. 112 N Range 60 W Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$, Sec. 4, T 112 N, R 60 Wxxxx and for xxxx purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of April, 1959, at 2:00 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

State Engineer, Pierre, S. Dak.
Les Wyborny, Water Rights Engineer

cc Robert D. Lusk, Publisher
The Huronite and Daily Plainsman
Huron, South Dakota

DUPLICATE

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

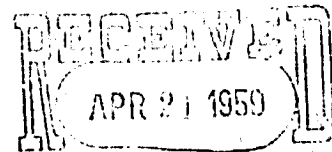
March 12, 19, 26, & April 2

In each and every issue of the full number thereof, the first publication being made on the 12 day of March 1959 and the last publication on the 2 day of April 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 LeGrand

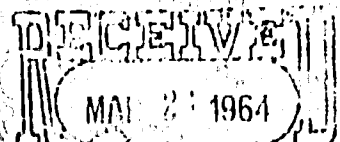
Subscribed and sworn to before me this 20 day of April A. D. 1959

a. J. Jorgensen
Notary Public Beadle County, S. D.



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

FP 3-12-59 LP 4-2-59
APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. Dak., March 8, 1959
Notice is hereby given that Clarence James Hohn, whose postoffice address is Yale, 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 2.22 cubic feet of water per second of time from ground water through the Clarence James Hohn No. 1, the point of diversion of which is to be located in the NE 1/4 of Section 36 Twp. 13 N. Range 60 W. Said water to be used for the purpose of providing irrigation on the following described land:
NE 1/4 Sec. 36, T. 13 N., R. 60 W.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16 day of April, 1959, at 2:00 P. M. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
State Water Resources Commission
By: Les Wyborny,
Water Rights Engineer,
No. 98 (adv.)

Permit No. 580-3

Water Division No. _____ 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.) Yale S D(Date) Jan 25 1964

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

DEAR SIR: Notice is hereby given that on the 31 day of March, 1964, at Yale County of Beadle State of South Dakota, before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 2.22 cubic feet per second of the waters of well from NE 1/4 of 4-112-60 in accordance with the terms and conditions of Permit No. 580-3 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Charles James Hahn Yale S D

2. The use to which said water has been applied is _____

Irrigation

3. The amount applied to beneficial use is _____

2.22 cubic ft

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

NE 1/4 of 4-112-60 + E 1/2 of SE 1/4 of 4-112-60

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

spinks system - valley & back more

6. The right to take the water from such works is based upon permit No. 580-3

7. The source of supply from which such water is diverted is _____

well

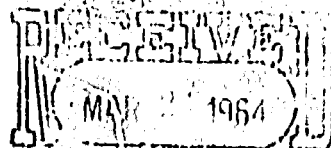
8. The date of priority which said user is prepared to establish is _____

april - 1959

(Sign) _____

Charles James Hahn

Filed
Permit No. 580-3



Water Division No. _____

Water District _____

STATE 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 _____

_____ cu. ft. per second of the waters of the state from _____
through the quilt system & valley 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.

1. The name of the person or corporation holding said permit is Clarence James Johnson

2. The postoffice address of such person or the place of business of such corporation is of c/o
County of Beadle State of S. Dak.

3. The number of such permit is 580-3 and the date set for the completion of such work is _____4. Said water to be used for irrigation purposes

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2.22 cubic feet per second.

6. The amount of land for which said water is available is 380 acres
particularly described as follows: NE 1/4 of 4 - 12-60

E 1/2 of SE 1/4 - 4 - 12-60

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

(Signature of Owners) _____

Clarence James Johnson

Permit No. **580-3**Water 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~~

I have this day made a thorough examination of the diversion works constructed by

CLARENCE JAMES HOHM, of **YALE****BEADLE**County, South Dakota, holder of Permit No. **580-3**, issuedupon Application No. **580-3**, bearing date of priority of **MARCH 2**, 19**59**, authorizing thediversion of **2.22** 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: **35' DEEP 16" DIA WELL W/ 10" BYRON****JACKSON (10GHE) 5 STAGE PUMP, POWERED BY 45 HP****U.S. ELECTRIC MOTOR. 1320' 6" MAINLINE TO PUMP****FOR 130 ACRE VALLEY SYSTEM. 1320' 4" SPRINKLER****LINE USED FOR CORNERS.**and the system is in the following condition: **EXCELLENT**

The point of diversion is located

S 51° 04' E, 2100 FEET FROM THE
N 1/4 CORNER, SECTION 4, T112N, R60WThe works are capable of diverting and conveying to the place of use **2.22** 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 4, T112N, R60W**comprising a total of **160** acres of land.

The domestic use intended comprises

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

Witness my hand, this

3RD

day of

OCTOBERA. D. 19**68**

—SEAL—

Dustin Jones
WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION



580-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: CLARENCE J HOHM, 40777 195TH ST, YALE, SD 57386

FROM: Ron Duvall, Natural Resources Engineer.
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit Nos. 243-3 & 580-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 243-3 & 580-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



580-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 17, 2015

243-3
580-3
2181-3

Lud Hohm
40783 195th Ave
Yale SD 57386

Dear Mr. Hohm:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires for Water Right Nos. 243-3, 580-3 and 2181-3. You may disregard the January 16, 2015, "Notice" concerning reporting requirements for these water rights. The information was received in our office prior to the Water Management Board meeting and the issue is no longer on the agenda.

It is my understanding from the notation you wrote on the questionnaires that you now own the land described in the water rights. Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

I have enclosed copies of the water rights for your records. If I have misunderstood and you do not own the land but want the annual questionnaires directed to you as operator, please let me know.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

580-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

May 12, 2015

243-3
580-3
2181-3

Lud Hohm
40783 195th Ave
Yale SD 57386

Dear Mr. Hohm:

On February 17, 2015, transfer of ownership forms were sent to you for filing ownership changes on Water Right Nos. 243-3, 580-3 and 2181-3. This was done based on the information supplied on the 2014 irrigation questionnaires. To date, we have not received anything back from you.

In the event you do not have the original forms, enclosed are partially completed forms for use in filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

July 24, 2015

243-3
580-3
2181-3

Lud Hohm
40783 195th Ave
Yale SD 57386

Dear Mr. Hohm:

On February 17 and May 12, 2015, transfer of ownership forms were sent to you for filing ownership changes on Water Right Nos. 243-3, 580-3 (Clarence Hohm) and 2181-3 (Jim Hohm). This was done based on the information supplied on the 2014 irrigation questionnaires.

In the event you do not have the original forms, enclosed are partially completed forms for use in filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

If your notation on the forms was to notify us that you are the operator and would like the annual irrigation questionnaires sent directly to you, this can be done without having to go through the ownership change process. If you now own the land and wish to have the water rights listed in your name, filing the transfer forms and payment of the fees will be required.

Please touch base with me to let me know how you wish to proceed. It is important to have up to date names and addresses in the files to ensure you receive all correspondence concerning the water rights.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

RECEIVED

AUG - 3 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 580-3

Date: 7.27.2015

I/We request that Water Right No. 580-3

formerly owned by: Clarence Hohm

Hohm Farms & Supply Inc

be transferred to: (name & address) Lud Hohm, 40783 195th Ave, Yale SD 57386

Telephone No. 605. 350. 7827

Title to the following described land(s)/property has been transferred as described above:

160 acres - NE 1/4 Section 4, T112N, R60W

I/We understand that the validity of Water Right No. 580-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Ludwig Hohm, the new owner, certify that the above information is true and correct.

Hohm Farms by Ludwig Hohm
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/3, 20 15

RECEIVED OF Hohm Farms & Supply Inc 40783 195th St Yale SD 57386

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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 <u>580-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07464**

By

June Holman
Chief Engineer

580-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 3, 2015

243-3
580-3
2181-3

Ludwig Hohm
Hohm Farms & Supply Inc.
40783 195th Ave
Yale SD 57386

Dear Mr. Hohm:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for Water Right Nos. 243-3, 580-3 and 2181-3.

The ownership changes have been completed. All three water rights are now listed in the name of Hohm Farms & Supply Inc.

Enclosed for you records are Receipt Nos. 07463, 07464 and 07465 in the amount of \$50 each. If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



580-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: HOHM FARMS & SUPPLY INC, LUDWIG HOHM, 40783 195th ST, YALE, SD 57386

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 243-3, 580-3 & 2181-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 243-3, 580-3 & 2181-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 1, 2018

243-3
580-3
2181-3

Ludwig Hohm
Hohm Farms & Supply Inc
40783 195th St
Yale SD 57386

Dear Mr. Hohm:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 243-3, 580-3 and 2181-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



580-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: HOHM FARMS & SUPPLY INC, LUDWIG HOHM, 40783 195th ST, YALE, SD 57386

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 243-3, 580-3 & 2181-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 243-3, 580-3 & 2181-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

580-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 7, 2019

243-3
580-3
2181-3

Ludwig Hohm
Hohm Farms & Supply Inc
40783 195th St
Yale SD 57386

Dear Mr. Hohm:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 243-3, 580-3 & 2181-3. 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,

A handwritten signature in cursive script, reading "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us