

WATER PERMIT NO. 5811-3

Phone: 605-384-5198

Name of Applicant: Wilbur J. Slaba

Post Office Address: RR 1, Box 163, Wagner SD 57380

Amount of Water Claimed: 0.22 add'l Total Acres: 16 add'l

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Charles Mix

About 4 miles north of Wagner

PRIORITY Date Received: 6-25-93 Fee: \$150 Remarks: corrects

location of irrigated acreage and adds irrigated acreage

Corrected Application Received: _____ Period of Annual Use: April 1 - Sept 30

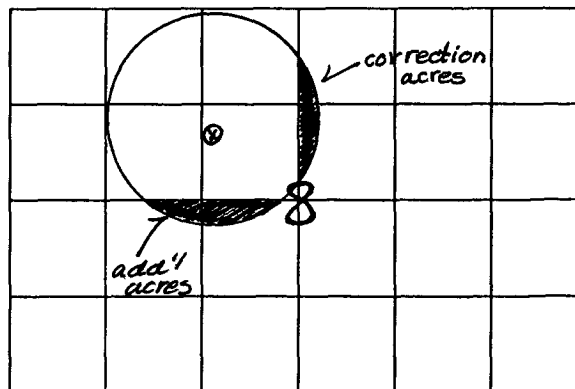
WATER QUALITY APPROVAL RECEIVED: _____ APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SE 1/4 NW 1/4 Sec 8-T96N-R63W

Land to be Irrigated: NW 1/4, N 1/2 SW 1/4,

W 1/2 NE 1/4 Sec 8-T96N-R63W



Well Log: Driller: Huron Drilling Licensed YES X NO _____

Depth of Well: 248 feet REMARKS: _____

Type of Map: aerial PREPARED BY: Barry McLaury Reviewed and the Number

Assigned on: 3-17-94 By: Karen Schlaak

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5811-3 Hydrologic Unit 10170101
Basin Missouri River
Newspaper Wagner Post, Box 187, Wagner
(office use only)



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

Type of Application: X New Vested Right X Amendment/Correction to Permit No. 4526-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)
Correct location of irrigated acreage (17 acres) and add irrigated
acreage (16 acres).

- Name of Applicant Wilbur J. Slaba Phone 605-384-5198
(check one) X Owner Tenant/lessee
Mailing Address RR1 Box 163 Wagner State SD 57380
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed no add CFS or **GPM ***AF Total Acreage 16 Add'l
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Groundwater - 1 well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well - SE4 NW4
T96N-R63W Section 8. 600 feet South and 330 feet East from the center of
the NW4 Section 8 T96N-R63W. County Charles Mix
- County or counties where water will be used Charles Mix
- Annual period during which water is to be used April 1, - September 30
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres
- Additional Acreage -	
NW4 SW4 Section 8 T96N-R63W	6
NE4 SW4 " " "	10

Land Description	Acres
- Acreage Correction -	
NW4 NE4 Section 8 T96N-R63W	6
SW4 NE4 " " "	11

Land Description	Acres
- Acreage Correction -	
NW4 NE4 Section 8 T96N-R63W	6
SW4 NE4 " " "	11

- Type of Irrigation: Gravity: Towline: Center Pivot: X Gun: Other (Specify):
- Crops to be irrigated: Corn, beans
- Give a description of the project. (Attach sheet if more space is needed)

This application is to increase the permitted acreage from 160 acres (No. 4526-3) to 176 acres and to correct the location of 17 acres developed in the W2 NE4 (Retain the May 8, 1980, Priority date assigned to No. 4526-3). The additional 16 acres will take a new priority date.

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

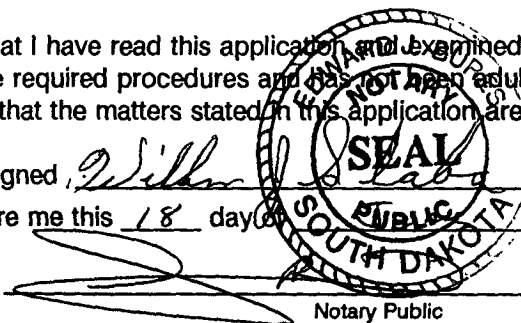
STATE OF SOUTH DAKOTA)

County of Char. Mix)^{SS}

I, Wilbur J. Slaba, 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 representative of the water to be used, and that the matters stated in this application are true and correct.

Signed, Wilbur J. Slaba

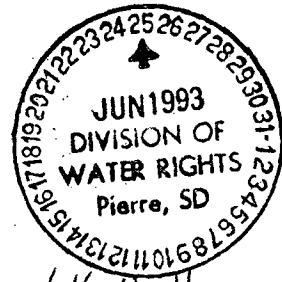
Subscribed and sworn to before me this 18 day of 19 93



(Complete applicable portions only)

Supplemental Information

SEE WELL COMPLETION (type or print in ink)
REPORT FROM HURON DRILLING
DATED JANUARY 5, 1981.

1. Well Information - ~~Proposed~~ Construction

- a) Drill Hole Diameter ~~24"~~ Depth 230
- b) Casing Type Plastic Diameter 16" Thickness 1/6" Wall
- c) Screen Type Plastic, slotted Diameter 16" Thickness _____
- d) Gravel Pack Thickness 8" Length of Gravel Pack 90'
- e) Depth to Top of Water Bearing Material 40'
- f) Depth to Water (ground surface to water level) _____
- ☒ g) Distance to nearest existing domestic well: 1/2 mile
- On applicants property ☒ On property owned by others _____

2. Dugout Information

- 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 for each dam. The locations of the dams need to 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

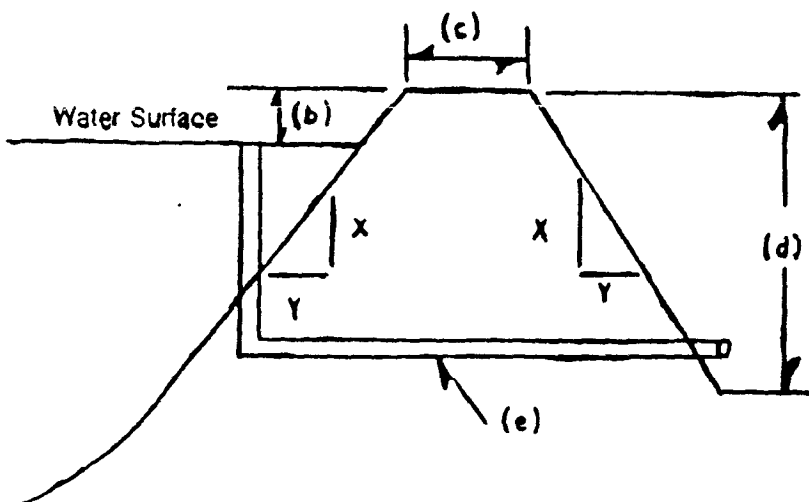
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



**SOUTH DAKOTA
WATER PERMIT NO. 5811-3**

Date of first receipt of application June 25, 1993.

Permit processed when Soil/Water Compatibility permitting statutes were repealed.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5811-3 to Wilbur J. Slaba, RR 1, Box 163, Wagner SD 57380 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. 5811-3 specifies the correct location of the irrigated acreage and irrigates 16 additional acres. Water Permit No. 4526-3 appropriates 2.2 cubic feet of water per second (cfs) from one well (Choteau West Aquifer) 248 feet deep located in the SE 1/4 NW 1/4 Section 8 to irrigate 160 acres located in the NW 1/4 Section 8; all in T96N-R63W. An inspection of Water Permit No. 4526-3 found one well diverting 1.89 cfs irrigating 176 acres. The correct location of 17 of the 176 acres being irrigated is located in the W 1/2 NE 1/4 Section 8 and the 16 additional acres are located in the N 1/2 SW 1/4 Section 8; all in T96N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually 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 right is March 11, 1994 (for irrigation of the 16 additional acres).
4. The date of approval of Permit No. 5811-3 is June 17, 1994.
5. 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 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

OCT 4 1994
date



Department of Agriculture
DIVISION OF CONSERVATION

445 East Capitol Ave
Pierre, South Dakota 57501-3185
Phone 605-773-3258
FAX 605-773-5926



Russ Stone
Division Director
773-4024

Dale Anderson
Irrigation Program
773-4025

Keith Harner
Districts Specialist
773-4515

Pete Jahraus
Natural Resource Planner
773-4351

Cec Johnson
Senior Secretary
773-3258

Clark Johnson
Wetlands Coordinator
773-6503

Arlene Pitan
Senior Secretary
773-3259

Roy Richardson
NPS I&E Coordinator
773-5276

Jim Stukel
Irrigation Program
Administrator
773-4003

June 28, 1993

Wilbur J Slaba
RR 1 Box 163
Wagner SD

Dear Mr Slaba:

In reviewing your application for portions of the N1/2 of the SW 1/4 and the W1/2 of the NE1/4 of Section 8-96-63 and the existing permit file, the staff has noted the following:

- 1) The N1/2 of the SW1/4 was disapproved under a previous application.
- 2) Soil samples taken by a member of the irrigation staff indicate an accumulation of total salts and sodium has been occurring.
- 3) A validate water sample taken by a member of the irrigation staff shows the water to have a high sodium and salinity hazard.

Based on these findings we have determined that there is a need for a management plan before giving this application further consideration. We recommend that you contract Gregg Carlson, pHd, SDSU for assistance in developing this necessary plan. Greggs telephone number is 688-4761.

Please be advised that we will place your application on hold until the management plan is received by this office.

Sincerely

James L Stukel
Irrigation Program Administrator

CC: G. Carlson
E. Gronlund

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Wilbur J. Slaba

ADDRESS: RR 1, Box 163, Wagner SD COUNTY: Charles Mix

DATE: 3-17-94 TELEPHONE:

RE: S/W Compatibility Permit

COMMENTS:

We are proceeding with this application based on the repeal of the Soil/Water Compatibility Permit statutes by the 1994 Legislature.

Karen Schlaak

Karen Schlaak
Environmental Scientist

RECEIPT

413815

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, June 25, 19 93

RECEIVED OF Delma Slaba, RR 1 Box 163, Wagner, SD 57380

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

Fee for Application for Permit No. <u>5811-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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 _____		

(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer



2893

NOT 1992 SCALE

(103-R)

T4214
86.6

Wilbur
Slaba
&
Eugene
Slaba

61.6
T4220

8.1
T4221

(K25) 99.9
16.5

5.0
8

50.6
T121

9.7
3

31.9

HEL

Trees

NC
y

Wilbur Slaba

96-63

(103-R) T101

25.4

REPORT ON APPLICATION NO. 5811-3
for Wilbur J. Slaba
May 4, 1994

Application No. 5811-3 proposes to specify the correct location of the irrigated acreage and to irrigate 16 additional acres. Water Permit No. 4526-3 appropriates 2.2 cfs from one well approximately 248 feet deep located in the SE 1/4 NW 1/4 of section 8 to irrigate 160 acres located in the NW 1/4 of section 8; all in T96N R63W. An inspection of Water Permit No. 4526-3 found one well diverting 1.89 cfs irrigating 176 acres. The correct location of 17 of the 176 acres is in the W 1/2 NE 1/4 of section 8 and the 16 additional acres are located in the N 1/2 of the SW 1/4 of section 8; all in T96N R63W. This land is located in Charles Mix County and within the former boundaries of the Yankton Sioux Indian Reservation.

AQUIFER - CHOTEAU WEST (CH-W)

The Choteau West is a buried glacial outwash (sand and gravel) and western origin stream deposits (Kume, 1977). The aquifer is confined and under artesian conditions at this site. The aquifer underlies 169,900 acres and contains an estimated 1.23 million acre feet of recoverable water in storage in Charles Mix County (Hedges, 1982). The aquifer extends into Douglas and Hutchinson Counties to the north and into Bon Homme County to the south. The Choteau is also hydraulically connected to the Niobrara Chalk, possibly the Codell Sandstone and other buried glacial aquifers.

The Division of Water Rights monitors 21 observation wells completed into the Choteau West aquifer in Charles Mix County. Water levels show good response to pumping. Fluctuations are primarily due to irrigation withdrawals. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

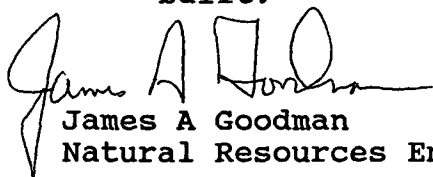
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing Water Permit is 1368-3 and is located about 1 mile northwest of this application. This application was approved for 2.28 cfs and 1.14 cfs was left in deferred status. A recent inspection by Water Rights Staff indicates that this permit will be licensed for 1.77 cfs for irrigation of 140 acres (SW 1/4 of section 6). The status of the original deferred portion of this permit application is in question. Interference will occur, that is, drawdown caused by pumping will overlap but these diversions have been occurring for many years with no adverse effects.

CONCLUSIONS

1. Water is available from the Coteau West aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown does occur. Interference is not expected to be a concern. The observation well record supports this fact.

3. Soil water compatibility approval is no longer required for the additional acres in the N 1/2 SW 1/4 of section 8.
4. These are existing wells and there is not enough well completion data to determine if these wells are completed in accordance with SD Well Construction Standards.
5. Approval of this application will allow licensing for 1.89 cfs for irrigation of 176 acres and will reflect the system as built.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Part II Water Resources, SDGS Bulletin 22, SDGS, Vermillion, SD, 57069.
- Water Rights, 1994, Unpublished Observation Well Records for Charles Mix County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5811-3, Wilbur J. Slaba

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5811-3, Wilbur J. Slaba, RR 1 Box 163, Wagner, SD 57380.

The Chief Engineer is recommending APPROVAL of Application No. 5811-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. 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.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
May 12, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 20, 1994

Wilbur J. Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

Water Permit Application No. 5811-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Wagner Post printed at Wagner, SD (Ph # 384-5616). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing 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 twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

This application was submitted on June 25, 1993. The application was on hold pending issuance of the Soil-Water Compatibility Permit through the Department of Agriculture. The Soil-Water Compatibility statutes have since been repealed by the 1994 Legislature and the water permit is now being processed.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1994

Wagner Post
Box 187
Wagner, SD 57380-0187

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5811-3 to be published twice. Please publish the first notice on May 31, 1994, 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 Wilbur J. Slaba, RR 1 Box 163, Wagner, SD 57380 (Ph # 384-5198).

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

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

Instruction to Newspaper - Publish first Notice on May 31, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5811-3 to Appropriate Water
and to Amend Water Permit No. 4526-3

Notice is given that Wilbur J. Slaba, RR 1 Box 163, Wagner, SD 57380 has filed an application for a water permit to specify the correct location of the irrigated acreage and to irrigate 16 additional acres. Water Permit No. 4526-3 appropriates 2.2 cubic feet of water per second (cfs) from one well (Choteau West Aquifer) 248 feet deep located in the SE 1/4 NW 1/4 Section 8 to irrigate 160 acres located in the NW 1/4 Section 8; all in T96N-R63W. An inspection of Water Permit No. 4526-3 found one well diverting 1.89 cfs to irrigate 176 acres. The correct location of 17 of the 176 acres being irrigated is located in the W 1/2 NE 1/4 Section 8 and the 16 additional acres are located in the N 1/2 SW 1/4 Section 8; all in T96N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5811-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 17, 1994.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Charles Mix) ss

I, Donald Harrell

certify that the attached printed Notice was

taken from the _____

Wagner Post

printed and published in Wagner

County of Charles Mix and State of

South Dakota. The notice was published in the newspaper on the following two dates:

June 1, 1994

June 8, 1994

Cost of Printing: \$36.88

Donald J. Harrell
(Signature)

Publisher
(Title)

June 8, 1994
(Date Signed)

Public Notice

NOTICE OF APPLICATION NO. 5811-3 to Appropriate Water and to Amend Water Permit No. 4526-3

Notice is given that Wilbur J. Slaba, RR 1 Box 163, Wagner, SD 57380 has filed an application for a water permit to specify the correct location of the irrigated acreage and to irrigate 16 additional acres. Water Permit No. 4526-3 appropriates 2.2 cubic feet of water per second (cfs) from one well (Choteau West Aquifer) 248 feet deep located in the SE 1/4 NW 1/4 Section 8 to irrigate 160 acres located in the NW 1/4 Section 8; all in T96N-R63W. An inspection of Water Permit No. 4526-3 found one well diverting 1.89 cfs to irrigate 176 acres. The correct location of 17 of the 176 acres being irrigated is located in the W 1/2 NE 1/4 Section 8 and the 16 additional acres are located in the N 1/2 SW 1/4 Section 8; all in T96N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5811-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing

will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Pub: June 1, 8, 1994





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 4 1994

Wilbur J. Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

Enclosed is Water Permit No. 5811-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 1995

2218-3

5811-3

Wilbur Slaba
RR #1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

Enclosed are two partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right Nos. 2218-3 and 5811-3. In our January 18th telephone conversation, Mrs. Slaba indicated the land described under these water rights will be sold on a contract for deed in March, 1996.

You have one of two choices concerning ownership of the water rights. One, you could leave the water rights in your name and list the new owner(s) as manager until after the contract is paid; or two, you could go ahead and have the water rights transferred in March when the contract for deed begins. Whoever owns the land actually has control of the water rights.

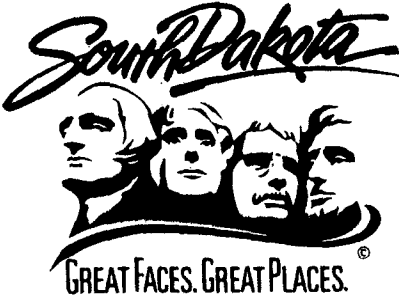
The enclosed forms should be signed by the **new owner** in the presence of a notary public. A \$2.50 filing fee is required for filing an ownership change. The fee (total of \$5.00) should be submitted with the completed transfer forms to our office.

If you or the new owner(s) have any questions concerning the water rights or completion of the transfer forms, please contact me.

Sincerely,

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

enclosures



5811-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

NOTICE

RE: Violation of Water Permit No(s) 2218-3, 5811-3 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2218-3, 5811-3. The request for the Questionnaires was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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) 2218-3 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) 5811-3 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 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

WILBUR J SLABA
RR 1 BOX 163
WAGNER, SD 57380

4a. Article Number

P 757 566 301

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

2-8-95

5. Signature (Addressee)

Wilbur J Slaba

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

SALES-- .00 212.83 .00 .00 .00 .00 212.83



10/17/94 15:46:17 Charles Mix Electric Assn 1994 IRRIGATION SEASON ANALYSIS

BI20 PAGE 107

Permit
~~228~~
5811-3
Beans

54505.03	SLABA, WILBUR & DELMA						096.63.08.2.00 TOTAL HP	81
MONTH--	SEPT 94	AUG 94	JULY 94	JUNE 94	MAY 94	APRIL 94	TOTALS	
HOURS--	124	109	10				243 ***	
KW-----	50.0	50.0	50.0	.0	.0	.0		
KW CHG--	200.00	200.00	200.00	.00	.00	.00	600.00	
KWH-----	6248	5485	545				12278	
KWH CHG	356.14	312.65	31.07	.00	.00	.00	699.86	
CREDITS	.00	.00	.00	.00	.00	.00		
SALES--	556.14	512.65	231.07	.00	.00	.00	1299.86	

3 months demand paid.

No letter of credit.

10/17/94 15:46:17 Charles Mix Electric Assn 1994 IRRIGATION SEASON ANALYSIS

BI20 PAGE 108

Permit
~~228~~
2218-3
Popcorn

54505.04	SLABA, WILBUR & DELMA						096.63.08.2.01 TOTAL HP	108
MONTH--	SEPT 94	AUG 94	JULY 94	JUNE 94	MAY 94	APRIL 94	TOTALS	
HOURS--	68	100	69				237 ***	
KW-----	72.0	73.0	62.0	.0	.0	.0		
KW CHG--	288.00	292.00	248.00	.00	.00	.00	828.00	
KWH-----	4940	7320	4330				16590	
KWH CHG	281.58	417.24	246.81	.00	.00	.00	945.63	
CREDITS	.00	.00	.00	.00	.00	.00		
SALES--	569.58	709.24	494.81	.00	.00	.00	1773.63	

3 months demand paid.

No letter of credit.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 1995

2218-3

5811-3

Wilbur J Slaba
RR #1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, **Notice of Violation of Water Permits and the 1994 Irrigation Questionnaire Requirements.**

The questionnaires were 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 Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 12, 1995

SECOND NOTICE
Permit No: 5811-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Wilbur J. Slaba
RR 1, Box 163
Wagner, SD 57380

Dear Mr. Slaba:

On October 4, 1994, you were notified the final inspection fee of \$50.00 is due before Water License No. 5811-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181**

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

*Very sorry I thought I got this
with Delm*

RECEIPT

414527

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ June 20, 19 95

RECEIVED OF Delma Slaba, RR 1 Box 163, Wagner, SD 57380

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 _____		
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. <u>5311-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John N. H. [Signature]
Chief Engineer

Permit No. 4526-3 - 5811-3
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Wilbur J. & Eugene Slaba of RR1 Box 163, Wagner, SD 57380 holder of Permit No. 4526-3, bearing the priority of May 8, 1980 authorizing the diversion of 2.20 cu. ft. of water per second from groundwater for irrigation purposes, in Charles Mix County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Pump:

- 1) Make Valley
- 2) Model 12MME4MME-1MHE
- 3) Size 8.19 inches
- 4) Capacity 850 GPM

Motor:

- 1) Make Siemens-Allis
- 2) Model No. ELI-4592
- 3) Horsepower rating 100 hp

B. Works used to transport water to place of use:

DISTRIBUTION LINE:

- | | | |
|-------------------------|--------------------------|---------------------------|
| 1) Type <u>Aluminum</u> | 2) Size <u>10</u> inches | 3) Length <u>130</u> feet |
|-------------------------|--------------------------|---------------------------|

C. Works used to apply water to beneficial use:

SYSTEM TYPE:

Center pivot:

- | | |
|--|-------------------------------------|
| 1) Make <u>Valley</u> | 5) End gun <u>Y</u> |
| 2) Overall length <u>1580</u> feet | 6) High or low pressure <u>High</u> |
| 3) Number of towers <u>8</u> | 7) Capacity <u>850</u> GPM |
| 4) Distance between towers <u>198</u> feet | |

The system is in good condition. The point of diversion is located 1520 feet E and 1720 feet S from the NW corner of Section 8 T96N-R63W (SE $\frac{1}{4}$ NW $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 1.89 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

T96N-R63W

SECTION 8

<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>29 acres</u>
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>37 acres</u>
<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>6 acres</u>
<u>SW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>37 acres</u>
<u>SE$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>40 acres</u>
<u>SW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>11 acres</u>
<u>NW$\frac{1}{4}$ SW$\frac{1}{4}$</u>	<u>6 acres</u>
<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$</u>	<u>10 acres</u>

comprising a total of 176 acres of land and the license should be issued for 1.89 CFS.
Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: April 27, 1993

A handwritten signature in cursive script, reading "Barry A. McLaury", is written over a horizontal line.

Barry A. McLaury
Environmental Scientist
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4526-3

DATE: April 27, 1994

Other permit(s) associated with the project: 2218-3

DIVERSION POINT LEGAL LOCATION: 1520 feet E and 1720 feet S from the NW corner of Section 8 T96N-R63W (SE $\frac{1}{4}$ NW $\frac{1}{4}$).

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 248 feet
- 4) Well log is available Y
- 5) Comment: Mr. Slaba is not happy with the driller

Casing:

- 1) Diameter 16 inches
- 2) Length 163 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 85 feet
- 3) Static water level 54 feet

Pump:

- 1) Make Valley
- 2) Model 12MME4MME-1MHE
- 3) Size 8.19 inches
- 4) Capacity 850 GPM

Motor:

- 1) Make Siemens-Allis
- 2) Model No. ELI-4592
- 3) Horsepower rating 100 hp

DISTRIBUTION LINE:

- 1) Type Aluminum
- 2) Size 10 inches
- 3) Length 130 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Valley
- 2) Overall length 1580 feet
- 3) Number of towers 8
- 4) Distance between towers 198 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 850 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5811-3

(1) Wilbur J. Slaba of RR 1, Box 163, Wagner SD 57380 made Application No. 5811-3, June 25, 1993 for a water permit to irrigate 16 additional acres from groundwater (one existing well), Charles Mix County, South Dakota for irrigation purposes. Permit No. 5811-3, with a priority date of March 11, 1994 was approved June 17, 1984 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5811-3 specifies the correct location of the irrigated acreage and authorizes irrigation of an additional 16 acres that were developed but not permitted under Water Permit No. 4526-3. No. 5811-3 did not allow for an increase in the developed diversion rate.

The applicable portions of Water Permit No. 4526-3 have been incorporated into this Water License No. 5811-3. A priority date of March 11, 1994 (established under No. 5811-3) is retained for irrigation of 16 acres in the N 1/2 SW 1/4 Section 8-T96N-R63W. The remaining acreage retains a priority date of May 8, 1980 (established under No. 4526-3).

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.89 cubic feet of water per second for beneficial use. The location of the diversion point is 1520 feet east and 1720 feet south of the northwest corner of Section 8-T96N-R63W (SE 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 8-T96N-R63W	NW 1/4 NW 1/4	29 acres
	NE 1/4 NW 1/4	37 acres
	SE 1/4 NW 1/4	40 acres
	SW 1/4 NW 1/4	37 acres
	NW 1/4 NE 1/4	6 acres
	SW 1/4 NE 1/4	11 acres
	NW 1/4 SW 1/4	6 acres
	NE 1/4 SW 1/4	10 acres
	Total	176 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wilbur J. Slaba of RR 1, Box 163, Wagner SD 57380 the holder and/or owner of Incorporated Water Permit No. 5811-3 is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from groundwater (one well) with priority dates of May 8, 1980 and March 11, 1994 from the location specified in (2) of this license. The water is conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5811-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 6 1995

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

5811-3

Wilbur J. Slaba
RR 1, Box 163
Wagner, SD 57380

Dear Mr. Slaba:

Enclosed is Water License No. 5811-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414527 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 5811-3, 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.

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 4526-3 have been incorporated into this Water License No. 5811-3.



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE
TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Violation of Water Permit No(s) 5811-3, 2218-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5811-3, 2218-3. The request for the Questionnaires 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 be to determine if Permit No(s) 2218-3 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) 5811-3 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 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 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 (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.



5811-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1996

2218-3

5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, **Notice of Violation of Water Permit No. 5811-3, and Violation of the Requirement to Submit the 1995 Irrigation Questionnaire for Water Permit No. 2218-3.**

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

5811-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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) 2218-3 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) 5811-3 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, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

4a. Article Number

Z179 157 159

4b. Service Type

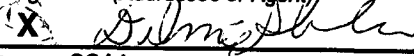
- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-13-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

(X) 

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1998

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 2218-3 and 5811-3.

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



January 22, 1999

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 2218-3 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) 5811-3 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 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 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 (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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

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1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

4a. Article Number

P378 080 744

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-25-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Wilbur J Slaba

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 1999

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

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 Nos. 2218-3 and 5811-3.

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



5811-3
**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: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2218-3 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) 5811-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 2000

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. On February 18th, I spoke with Mrs. Slaba concerning the questionnaires. She felt the forms were mailed in sometime ago, but indicated the land was not irrigated in 1999. I was unable to find the original forms, but filled out two new forms for you based on our phone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2218-3 and 5811-3. 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

5811-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3 and 2218-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No. 2218-3 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. 5811-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No. 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

5811-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY													
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		<table border="1"> <tr> <td>A. Received by (Please Print Clearly)</td> <td>B. Date of Delivery</td> </tr> <tr> <td></td> <td>1-22-01</td> </tr> </table>		A. Received by (Please Print Clearly)	B. Date of Delivery		1-22-01								
A. Received by (Please Print Clearly)	B. Date of Delivery														
	1-22-01														
1. Article Addressed to: WILBUR J SLABA RR 1 BOX 163 WAGNER SD 57380		<table border="1"> <tr> <td colspan="2">C. Signature</td> <td>☐ Agent</td> </tr> <tr> <td colspan="2"></td> <td>☐ Addressee</td> </tr> <tr> <td colspan="2">D. Is delivery address different from item 1?</td> <td>☐ Yes</td> </tr> <tr> <td colspan="2">If YES, enter delivery address below:</td> <td>☐ No</td> </tr> </table>		C. Signature		☐ Agent			☐ Addressee	D. Is delivery address different from item 1?		☐ Yes	If YES, enter delivery address below:		☐ No
C. Signature		☐ Agent													
		☐ Addressee													
D. Is delivery address different from item 1?		☐ Yes													
If YES, enter delivery address below:		☐ No													
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.													
		4. Restricted Delivery? (Extra Fee) ☐ Yes													
2. Article Number (Copy from service label) 7099 3220 0004 5201 0752															

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2001

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner, SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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



January 16, 2002

NOTICE

5811-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 2218-3 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) 5811-3 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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:

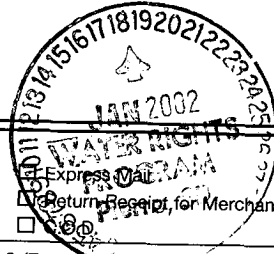
1. Suspend or cancel Permit No(s) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

5811-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) B. Date of Delivery 1-17	
1. Article Addressed to: WILBUR J SLABA RR 1 BOX 163 WAGNER SD 57380		C. Signature X <i>Wilbur J Slaba</i> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below: ☐ No	
			
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ Signature Required	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. 7001 2510 0004 4797 5620			

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 2002

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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

January 17, 2003

NOTICE

TO: WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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) 2218-3 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) 5811-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



5811-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 4616

Your item was delivered at 2:49 pm on January 27, 2003 in WAGNER, SD 57380. The item was signed for by W SLABA.

[Shipment History >](#)[Request Delivery Record >](#)

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Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4616

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Article

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RR 1 BOX 163
WAGNER SD 57380

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PS Form 153, February 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 26, 2003

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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



5811-3

**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 14, 2004

NOTICE**TO:** WILBUR J SLABA, RR 1 BOX 163, WAGNER, SD 57380**FROM:** Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5811-3, 2218-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 2218-3 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) 5811-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



5811-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8015

Your item was delivered at 10:44 am on January 17, 2004 in WAGNER, SD 57380. The item was signed for by D SLABA.

[Shipment Details >](#)

Notification Options

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Track & Confirm

Enter label number:

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8015

WILBUR J SLABA
RR 1 BOX 163
WAGNER SD 57380

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

fore mailing.

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Access internet web site at
www.usps.com
or call 1-800-222-1811

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PS Form 153, July 2001

(See Reverse)

5811-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2004

2218-3
5811-3

Wilbur J Slaba
RR 1 Box 163
Wagner SD 57380

Dear Mr. Slaba:

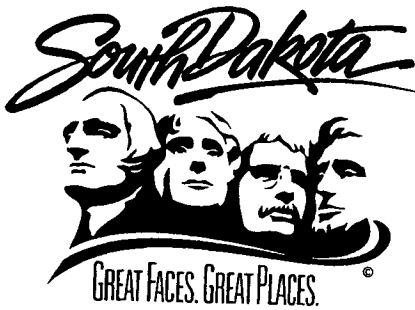
I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: WILBUR J SLABA, 29277 394TH AVE, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 2218-3 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) 5811-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



5811-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 2005

2218-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

Enclosed are copies of Water Right Nos. 2218-3 and 5811-3 listed in the name of Wilbur Slaba. It is my understanding that you own the land described in these water rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. 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 \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



5811-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2005

2218-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 2218-3 and 5811-3 (the notice was originally directed to Wilbur Slaba).

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 28, 2005

RECEIVED OF Eugene Slaba, 29251 393rd Ave., Wagner SD 57380-6951

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		
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>5811-3</u>		2 50
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001710

By

Darland E. White
Chief Engineer *gm*

5811-3

2-24-2005

To whom it may concern.

The names will read:

Eugene J ^{And} Barbara Slaba

And

Jason Slaba

And

Joseph Slaba

Thank you

Barbara Slaba

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5811-3

Date: 2-24-2005

I/We request that Water Right No. 5811-3

formerly owned by: Wilber Slaba

be transferred to: (name & address) Eugene J + Barbara Slaba + Jason Slaba
29251 393rd AVE and Joseph Slaba
Wagner, SD 57380 Telephone No. 605-384-5381

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

176 acres in the NW ¼, W ½ NE ¼ and N ½ SW ¼ Section 8, T96N, R63W

I/We understand that the validity of Water Right No. 5811-3 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 Two Dollars and Fifty Cents (\$2.50) 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 Eugene J Slaba, the new owner, certify that the above information is true and correct.

Eugene J. Slaba
(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.

RECEIVED
FEB 28 2005
WATER RIGHTS
PROGRAM



5811-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 4, 2005

2218-3
3696-3
5811-3

Eugene J & Barbara J Slaba
Jason & Joseph Slaba
29251 393rd Ave
Wagner SD 57380

Dear Sirs:

Thank you for following up on the ownership change for Water Right Nos. 2218-3, 3696-3 and 5811-3. The transfers have been completed. The following changes were made with the water rights:

No. 2218-3 transferred from Wilber Slaba to "Eugene J & Barbara J Slaba and Jason & Joseph Slaba"

No. 5811-3 transferred from Wilber Slaba to "Eugene J & Barbara J Slaba and Jason & Joseph Slaba"; and

No. 3696-3 transferred from John Uecker to "Eugene J & Barbara J Slaba".

Enclosed are your Receipt Nos. 001774, 001780 & 001781 in the amounts of \$2.50 each. You may keep these for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

February 7, 2006

Department of Environment and Natural Resources
Joe Foss Building
523 East Capital
Pierre, South Dakota 57501-3182

RECEIVED

FEB 10 2006

WATER RIGHTS
PROGRAM

Dear Mr. Grahlund,

We are the owners of an irrigation well located in the NW 1/4, W 1/2 NE 1/4 and N 1/2 SW 1/4 of Section 8, T96N, R63W of Bryan township in Charles Mix County under permit number 5811-3, which is no longer a working well. We would like to dig a new well, as close to the existing well, as possible, at the same depth, plugging or otherwise destroying the former well. We would like to know if there is any regulations or other permits we need to file or register prior to the digging of the new well. Any help you can give us with this project would be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Eugene J. Slaba".

Eugene J. Slaba and Sons

259251 393rd Ave

Wagner, SD 57380

1-605-384-5381

Change of Diversion Point

NAME: Eugene, Barbara, Jason and Joseph Slaba

ADDRESS: 29251 393rd Avenue Wagner, SD 57380

DATE: February 13, 2006 **COUNTY:** Charles Mix County

BACKGROUND:

Water License No. 5811-3 was issued in September of 1995 appropriating 1.89 cfs from one well completed into the Choteau:West Aquifer for irrigation of 176 acres. This water license incorporated Water Permit No. 4526-3. The authorized well is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the irrigated acres are located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$; all in Section 8, T96N, R63W. The water right has priority dates of May 8, 1960 and March 11, 1994.

Mr. Eugene Slaba filed a request to change the location of the well. The request states that the well is "no longer a working well". Mr. Slaba wants to drill a new well as close to the failing well as possible and at the same depth. The failing well will be plugged.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The well authorized by Water Right No. 5811-3 is completed into the Choteau:West Aquifer at a depth of 248 feet. Mr. Slaba's request states that the new well will be drilled at the same depth as the existing well. Completing the well into a different water source will require a new water permit.

No additional appropriation of water is requested. The water right appropriates 1.89 cfs. This request is for a new well to replace a well that has failed.

- **Review of Existing Diversions**

Mr. Slaba's request indicates an intent to construct the new well as close as possible to the failed well. A review of the domestic well log database of neighboring sections found two domestic wells owned by others and two domestic wells drilled by Mr. Slaba.

A review of water rights was also conducted for neighboring sections. There are irrigation rights in Section 6 and Section 17 and two water rights for recreational use in Section 16. There are a total of 42 existing water rights from the Choteau:West Aquifer.

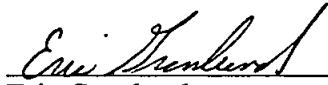
The location of replacement well being located very near the failed well will not result in the diversion being located closer to existing diversions. There have been no complaints regarding diversion authorized by Water Right No. 5811-3.

CONCLUSION

- This change in the location of the permitted well does not appropriate additional water.
- The replacement well will be constructed into the Choteau:West Aquifer which is the water source authorized by Water Right No. 5811-3.
- Existing domestic wells will not be adversely impacted by authorizing this change in the location of the well.
- The abandoned well must be plugged in accordance with SD well construction standards.

RECOMMENDED ACTION

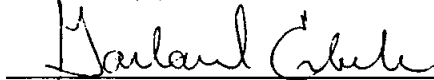
Based on the above criteria, it is recommended that the change of the diversion point be authorized.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change of diversion point will not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



5811-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 15, 2006

Eugene Slaba
29251 393rd Avenue
Wagner SD 57380

Dear Mr. Slaba:

I am writing in regard to your request to construct a replacement well for the original well authorized by Water Right No. 5811-3. Water Right No. 5811-3 was issued in September of 1995 appropriating 1.89 cfs from one well completed into the Choteau:West Aquifer for irrigation of 176 acres. The well is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the irrigated acres are located in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$; all in Section 8, T96N, R63W.

Upon review of the request and pursuant to SDCL 46-5-13.1, you are authorized to construct a replacement well to be completed into the Choteau:West Aquifer and located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T96N, R63W without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. This authorization does not grant an increase in the 1.89 cfs diversion rate or 176 acres of irrigation authorized by Water Right No. 5811-3.

This request has been authorized under SDCL 46-5-13.1 for which there is no application filing fee.

The well that is being abandoned must be plugged in accordance with South Dakota well construction standards.

If you have any questions, please feel free to contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

SOUTH DAKOTA WATER WELL COMPLETION REPORT

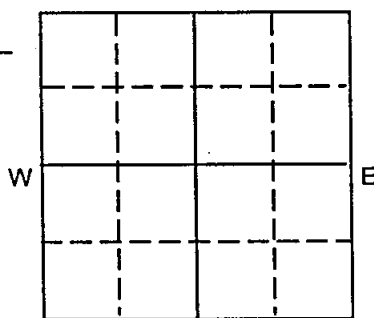
11-02

Location NE 1/4 NW 1/4 Sec 8 Twp 96 Rg 63

County

Charles Mix

North

Please mark well
location with an "X"

Well Completion Date

6/1/2006

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from _____ (Identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
37.0 LB/FT	16.00 IN	0.0 FT	180.0 FT	30.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite		14.0 Lb/gal	20.0 Ft	180.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremmie

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 100.0 FeetMaterial 26 SDR PVC CasingSlot Size .085 Set From 180.0 Feet to 280.0 FeetOther information Gravel

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? Concrete

Describe packer(s) and location

20' to Surface

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH
Lab sample sent to for
water quality analysis
☐ No, Why Not?
Well Owner: Eugene Slaba

Business Name: _____

Address: 29251 393rd Ave.City, State, Zip: Wagner SD 57380

WELL LOG:

DEPTH

FORMATION		FROM	TO
0	to	20	Top soil-clay with embedded gravel & possibly rocks
0	to	20	possibly rocks
20	to	40	3' clay with embedded gravel, 11' gray clay
40	to	60	3' clay, 1' rock & gravel, 16' gravel & rocks with clay streaks
40	to	60	with clay streaks
60	to	80	Coarse sand & gravel with few clay streaks
80	to	100	6' sand & gravel with clay streaks & rocks,
80	to	100	14' gray clay w/ lots of embedded gravel-rock
100	to	120	Gray clay with some embedded gravel & probably rocks too
120	to	140	Gray clay with layers of shale & thin streaks of coarse sand & fine gravel
120	to	140	streaks of coarse sand & fine gravel
140	to	160	13' gray clay with layers of shale & embedded gravel, 7' sand-fine gravel-clay mixed
140	to	160	Sticky gray clay with embedded gravel
160	to	180	1' clay, 5' sand & gravel w/ clay streaks, 14' fine gravel with possibly a couple thin clay streaks
180	to	200	Medium coarse "dirty" sand with evidence of clay & fine gravel
180	to	200	Sand-fine gravel & clay mixed
200	to	220	9' clay with some sand-mostly embedded, 11' real sticky gray clay
220	to	240	11' clay with streaks of formation, 7' gravel & rocks, 2' clay
240	to	260	17' real sticky gray clay with lots of embedded sand & fine gravel (297' Rock)
260	to	280	
280	to	300	

STATIC WATER LEVEL 51.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow 900.0 through 8.62 Inch pipeControlled by ☐ Valve ☐ Reducers ☒ Other Sprinkler System

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: _____
☐ Bailed
☐ Other

Pumping Level Below Land Surface

83.0 Ft. After 1.0 Hrs. pumped 700.0 GPM104.0 Ft. After 1.0 Hrs. pumped 1,433.0 GPMIf pump installed, pump rate: 900.0 GPM

REMARKS

This well was drilled under license # 273

And this report is true and accurate.

Drilling firm: Sargent Irrigation Co.

Signature of License Representative:

Dal Schindler

JUN 16 2006

WATER RIGHTS
PROGRAM

Signature of Well Owner or Equitable Property Holder:

Eugene J. SlabaDate: 6-14-06



5811-3
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 21, 2011

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 2218-3 & 3696-3 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) 5811-3 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 9, 2011** 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 4, 2011**, 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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2011

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2010 irrigation questionnaires. I completed questionnaires for you based on my telephone conversation with Jason Slaba.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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



5811-3
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 18, 2013

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 4, 2013**, 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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 29, 2013

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and the issue 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



5811-3
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: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 2218-3 & 3696-3 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) 5811-3 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 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 27, 2015

2218-3
2696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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



5811-3
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 15, 2016

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 before the **March 3, 2016** 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.



5811-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 28, 2016

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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



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 20, 2017

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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.



5811-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 27, 2017

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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



5811-3
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: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 **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 questionnaires 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.

5811-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2018

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



5811-3

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: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 **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 questionnaires 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.

5811-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2019

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

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. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



5811-3
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 23, 2020

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://denr.sd.gov/iq> using this password: GEKRXM**

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 3, 2020

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 2281-3, 3696-3 and 5811-3. 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 black ink, appearing to read "Genny McMath". The signature is written in a cursive, flowing style.

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: NUZUGC**

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 24, 2022

2218-3
3696-3
5811-3

Eugene & Barbara Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. & Mrs. Slaba:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires. They were received the same day we mailed out the Notice scheduling a hearing.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: VQVYCK**

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 AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 2, 2023

2218-3
3696-3
5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 2218-3, 3696-3 and 5811-3. 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
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: EUGENE & BARBARA SLABA, 29251 393RD AVE, WAGNER, SD 57380

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 2218-3 & 3696-3 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) 5811-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 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. 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) 5811-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2218-3 & 3696-3 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 **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TXWHXC**

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 24, 2025

2218-3, 3696-3, 5811-3

Eugene Slaba
29251 393rd Ave
Wagner SD 57380

Dear Mr. Slaba:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2218-3, 3696-3 & 5811-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us