

WATER PERMIT NO. 5973-3

Name of Applicant: Joe Hummel

Address: Box 27, Davis SD 57021

Phone: 605 238-5219

Amount of Water Claimed: 2.28 cfs

Total Acres: 160 acres

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System: NA

Location: 2 miles east of Hurley

PRIORITY Date Received: 12-16-1996

Fee: \$250.00

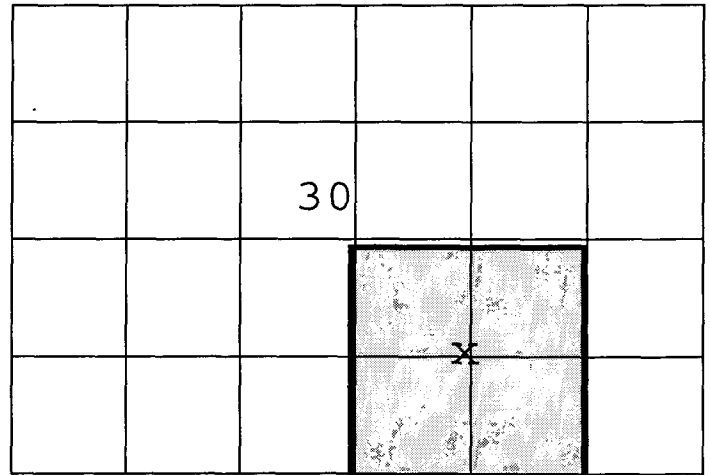
Corrected Application Received: ~~12-3-1996~~

Period of Annual Use: May 1 - September 30

Remarks:

Diversion Point: center of SE 1/4 Sec 30-T98N-
R52W

Land to be Irrigated: SE 1/4 Sec 30-
T98N-R52W



Depth of Well: 80 feet deep

Well Driller:

Remarks: log from nearby observation well

Type of Map: aerial

Prepared by: Edie Schoenwald

Reviewed and the Number Assigned on: 12-31-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 5973-3

Date of first receipt of application December 16, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5973-3 to Joe Hummel, Box 27, Davis SD 57021 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. 5973-3 appropriates 2.28 cubic feet of water per second from one well (Upper Vermillion Missouri Aquifer) approximately 185 feet deep located in the center of the SE 1/4 Section 30 to irrigate 160 acres located in the SE 1/4 Section 30; all in T98N-R52W.
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: May 1 - September 30.
3. The date from which applicant may claim right is December 16, 1996.
4. The date of approval of Permit No. 5973-3 is March 3, 1997.
5. One-fifth of the construction is to be completed on or before September 3, 1999.
6. All construction is to be completed on or before March 3, 2002.
7. Water is to be put to beneficial use on or before March 3, 2006.
8. 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. The well authorized by Permit No. 5973-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from a depth of approximately 100 feet to the surface pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

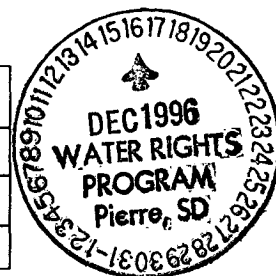
John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 28 1997

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5973-3</u> Hydrologic Unit <u>10/70/02</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>The New Era, Parker, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) _____

1. Name of Applicant Joe Hummel ☒ Owner ☐ Tenant/Lessee Phone 238-5219
(check one)
- Mailing Address Box 27 Davis State S.D.K. 57021
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 136 *CFS or 800 **GPM 840 ***AF Total Acreage 136
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply Ground Water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Center of the
SE 1/4 of Section 30 Township 98 North Range 52 West
5th RM County Turner
5. County or counties where water will be used Turner
6. Annual period during which water is to be used May 1 thru September 30
7. List below each forty acre division, 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	Land Description	Acres
NE ⁴ SE ⁴ SECTION 30 T98N R52W	40		
NW ⁴ SE ⁴ SECTION 30 T98N R52W	40		
SE ⁴ SE ⁴ SECTION 30 T98N R52W	40		
SW ⁴ SE ⁴ SECTION 30 T98N R52W	40		

8. Give a description of the project. (Attach sheet if more space is needed)

Use a center pivot and one (1) well to irrigate approximately 136 acre circle.

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

STATE OF SOUTH DAKOTA)

County of Turner) ss

I, Joe Hummel, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed

Joe Hummel

Subscribed and sworn to before me this

11

day of

December

19

96

Rita C Temple

Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- 185
- a) Drill Hole Diameter 30 in Depth 80 Ft
- b) Casing Type PVC Diameter 16 in Thickness 1/2 in
- c) Screen Type PVC Diameter 16 in Thickness 1/2 in
- d) Gravel Pack Thickness 3 in Length of Gravel Pack 65 Ft
- e) Depth to Top of Water Bearing Material 5 Ft
- f) Depth to Water (ground surface to water level) 15 Ft
- g) Distance to nearest existing domestic well:
- On applicants property NO On property owned by others 1000 Ft

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ c) Year Constructed _____
- d) Connected to the City of _____ Sanitary System.



3. Dugout Information

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

4. 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

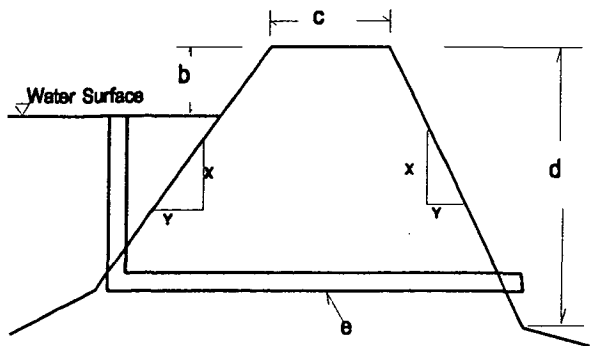
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

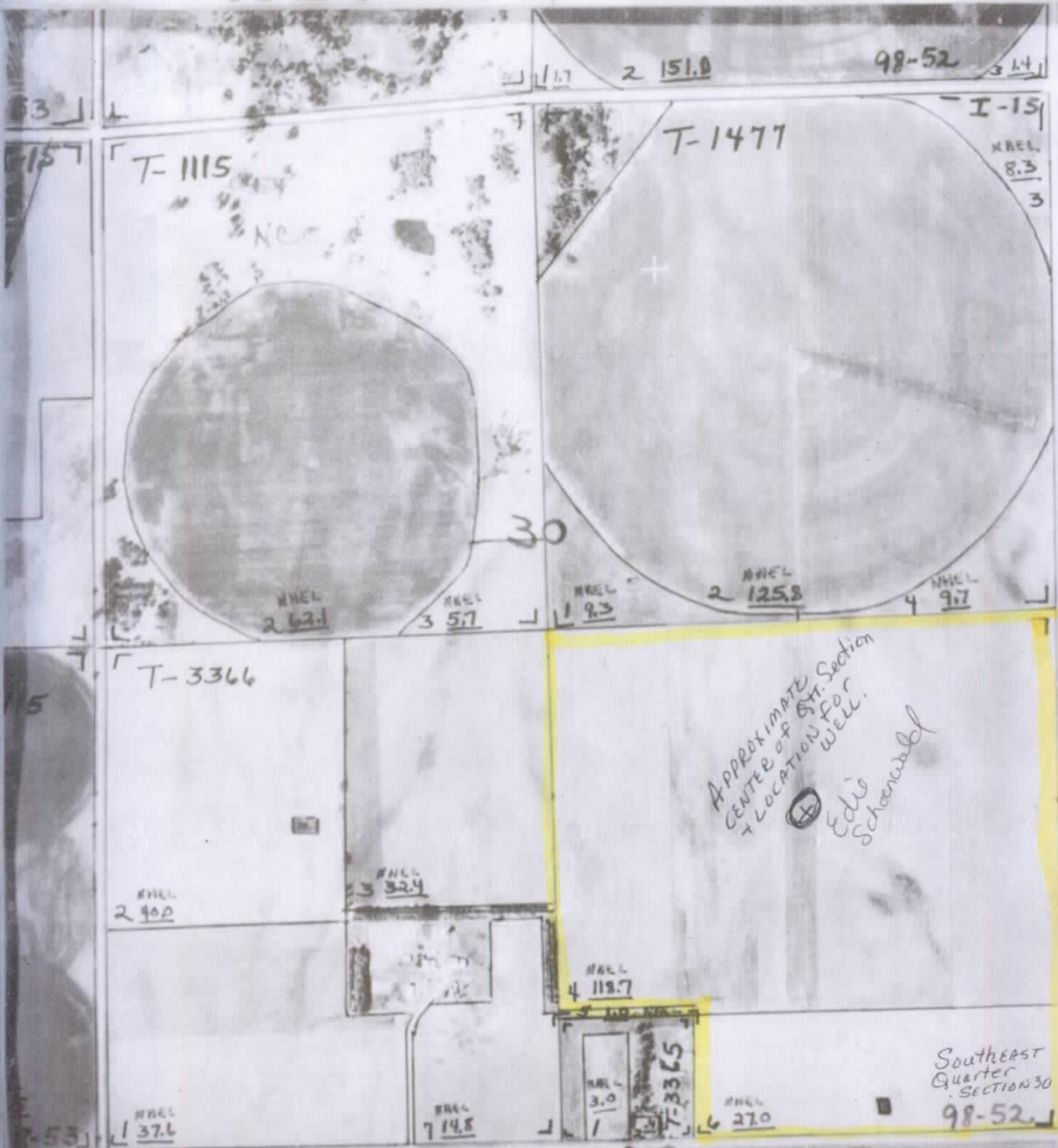
i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



Joe Hummel

NOT TO SCALE



OBSERVATION WELL

LOG AND INSPECTION SHEET

Well No. TU-77-I, Section 0880 32, Township 98, Range 52

Well Driller SDGS (Jenny)

Date drilled 12 April 77 Dia. of Hole _____, Dia. of Casing _____

LOG

Layers, Top to Top in feet	Description of Layer	Sampled
<u>0-29</u>	<u>Gravel, medium to coarse</u>	
<u>29-63</u>	<u>Clay, gray silty</u>	
<u>63-82</u>	<u>Sand & Gravel, coarse</u>	
<u>82-114</u>	<u>Clay, gray</u>	
<u>114-185</u>	<u>Sand, fine to medium</u>	
	<u>Hole kept caving in</u>	

Depth to saturated material _____ feet

Depth to static water level _____ feet

Total depth of drill hole 185 feet

Total length of casing installed 175 feet

CHECK LIST

Well Point _____

Waste Mounded _____

Casing Packed _____

Air Hole _____

Bentonite Placed _____

Padlocked _____

Well Tested _____

Signed _____

Use back of sheet for remarks.

Middle well

1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORD WAS IN A
AND OR MICROFILM WHICH MEET THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILMING
REDUCTIONS, REDUCTION 251 VOL NO 5-13-62

RECEIPT

415208

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 16, 19 96

RECEIVED OF Joe Hummel, Box 27, Davis, SD 57021

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

Fee for Application for Permit No. <u>5973-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	250	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	250 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 16, 1996

Joe Hummel
Box 27
Davis SD 57021

Dear Mr. Hummel:

We received your *Application for a Permit to Appropriate Water for Irrigation* today.

Before we can continue processing the application, please submit a well log or a driller's test log signed by a South Dakota licensed well driller for the well to be located in the center of the SE 1/4 Section 30-T98N-R52W.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Environmental Scientist
605 773-3352

REPORT ON WATER PERMIT APPLICATION NO. 5973-3
for Joe Hummel
January 15, 1997

Application No. 5973-3 proposes to appropriate 2.28 cfs (1023 gpm) from one well approximately 180 feet deep located in the center of the SE 1/4 of Section 30 to irrigate 160 acres located in the SE 1/4 of Section 30; all in T98N R52W in Turner County.

AQUIFER - UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri is a buried glacial outwash (sand and gravel) which is under confined or artesian conditions at this site. The aquifer contains an estimated 1.8 million acre feet of water in storage and underlies 207 square miles mostly in Turner and some in Hutchinson County (Lindgren, 1990). Ground water movement is primarily from north to south through the area of this application. Geologically this area is complicated by the fact that three distinct layers of glacial outwash exist. The surficial Parker Centerville aquifer extends to a depth of about 30 feet followed by a layer of clay which is about 30 feet thick. Below the clay layer is a buried outwash which is about 20 feet thick. Another layer of clay about 20 feet thick lies between the upper buried outwash and the lower buried outwash. It is likely that the upper and lower buried outwash are hydraulically connected. It seems clear that the Parker Centerville and the Upper Vermillion Missouri are not hydraulically connected at this site, however, the aquifers are indistinguishable in a small area of north central Turner County.

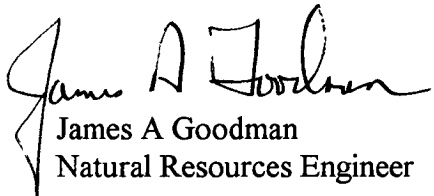
The Water Rights Program monitors three observation wells TU-77H, TU-77I and TU-77J in this immediate area. These wells are located about one quarter mile southeast of the proposed well for this application. Water levels for these wells show good response to climatic conditions, that is, water levels rise during wet years (recharge) and gradually decline during dry years. Also, the two deeper wells completed into the upper and lower buried outwash (Upper Vermillion Missouri aquifer) show the effects of pumping. Since these wells are confined and under artesian conditions, pumping from other irrigation wells in the area do create drawdown. This is obvious from the observation well hydrographs. Hydrographs for the three observation wells are included with this report (Water Rights, 1997).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are six existing water permits/rights within a one-half mile radius of this application. Four of these Water Rights obtain water from the Upper Vermillion Missouri aquifer and the other two obtain water from the Parker Centerville aquifer. Interference will occur. Drawdown is created by pumping and historically has reached a magnitude of about 30 feet in observation well TU-77H which is completed in the Upper Vermillion Missouri aquifer. There will be overlapping drawdown created by this application and the existing water rights. This interference is not expected to be adverse nor affect water availability from the aquifer. There does not appear to be a direct affect from pumping the buried aquifers upon the surficial Parker Centerville aquifer in this immediate area.

CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping. Interference is not expected to be adverse. This is illustrated by the observation well hydrographs.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. In the application the applicant requested a well completed to a depth of approximately 80 feet. This would have placed the bottom of the well into the upper buried outwash. Because the lower buried outwash also exists at this site and because the lower buried outwash is a more reliable source of water the application was changed to 180 feet after a phone conversation with the applicant. Also the upper and lower buried outwash are both considered part of the Upper Vermillion Missouri aquifer.



James A Goodman
Natural Resources Engineer

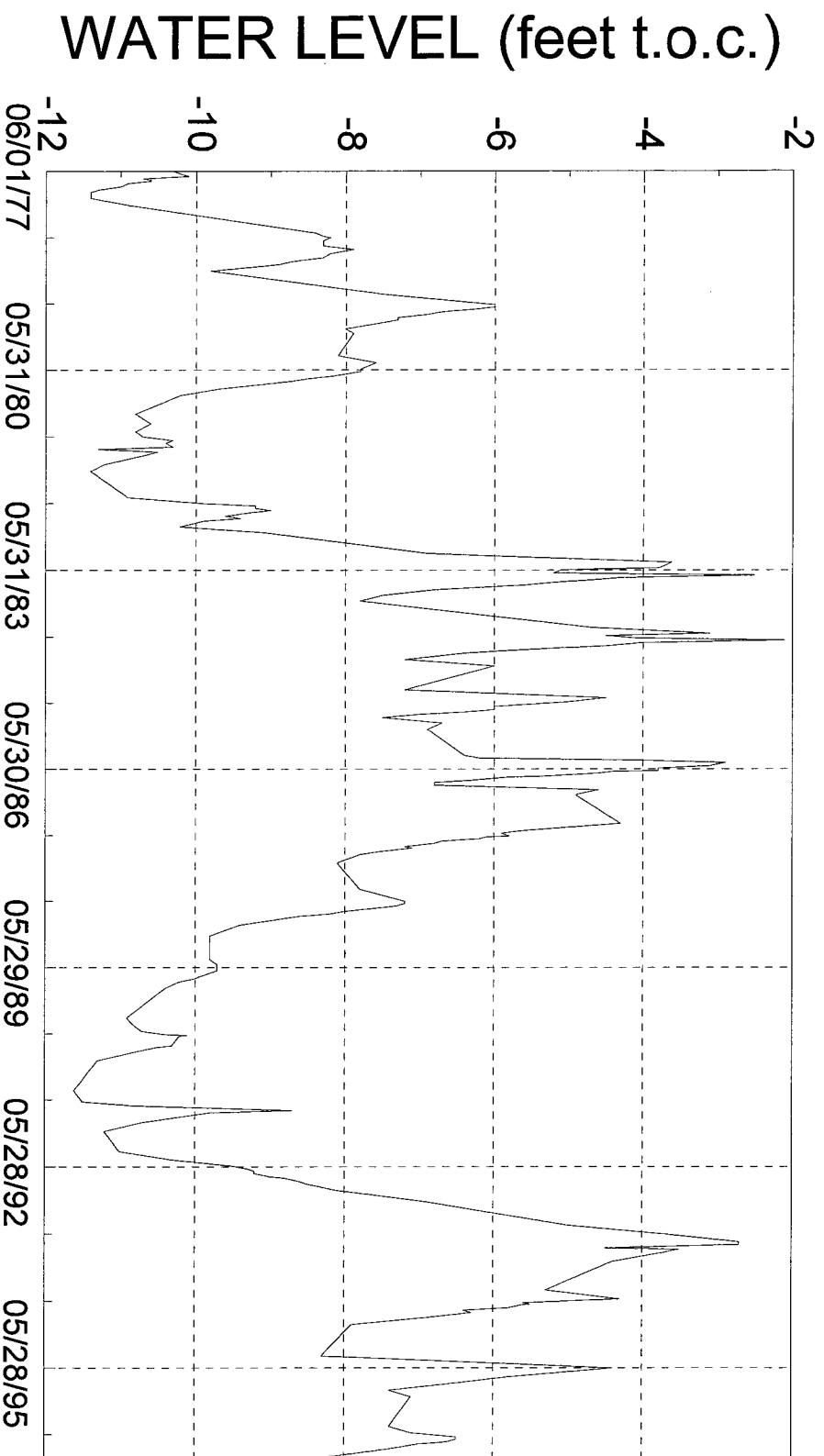
BIBLIOGRAPHY

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties South Dakota, USGS WRI 90-4093, USGS, Huron, SD, 57350.

Water Rights, 1997, Unpublished Observation Well Data For Turner County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

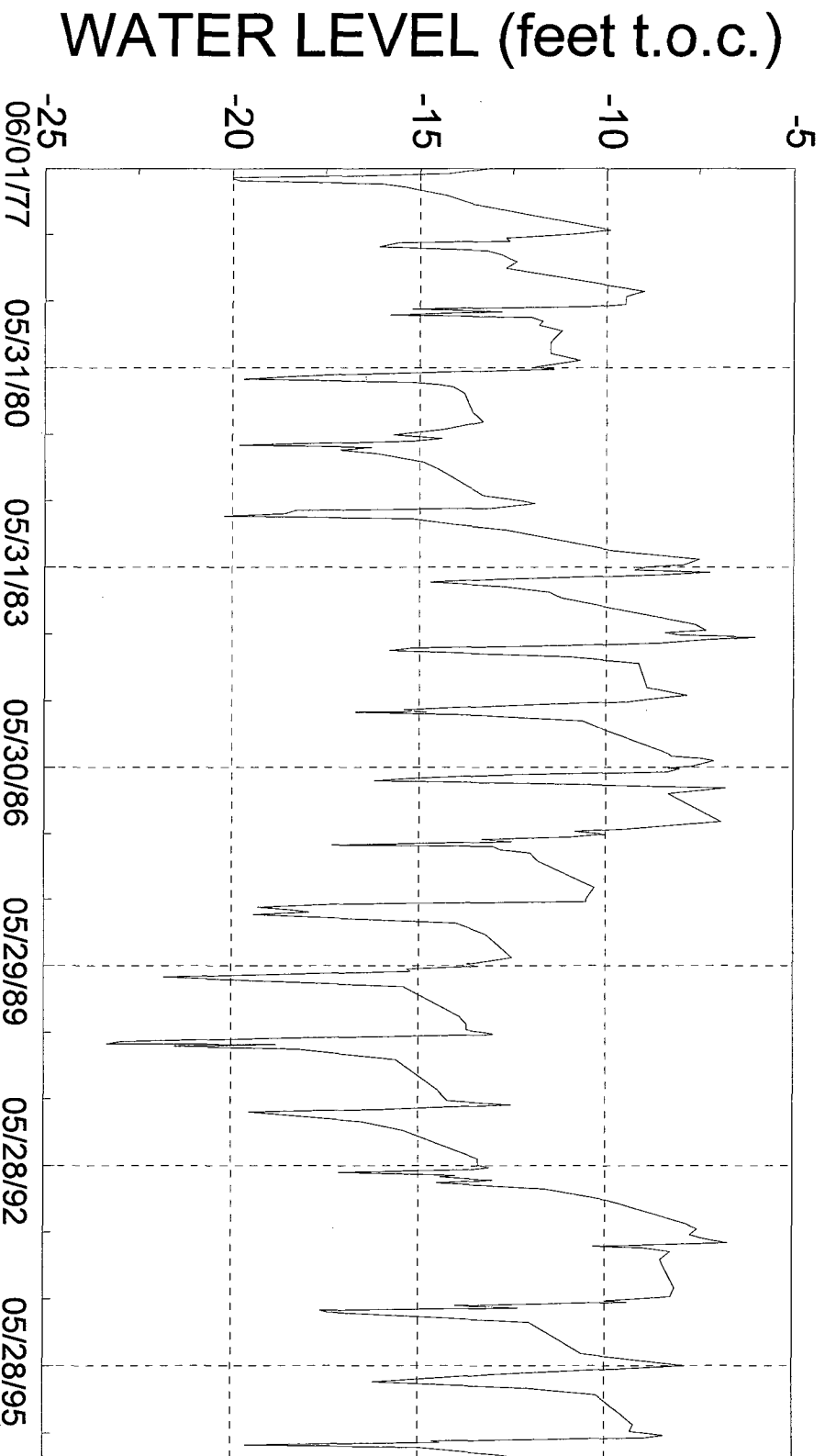
WATER RIGHTS OBSERVATION WELL

TU-77J



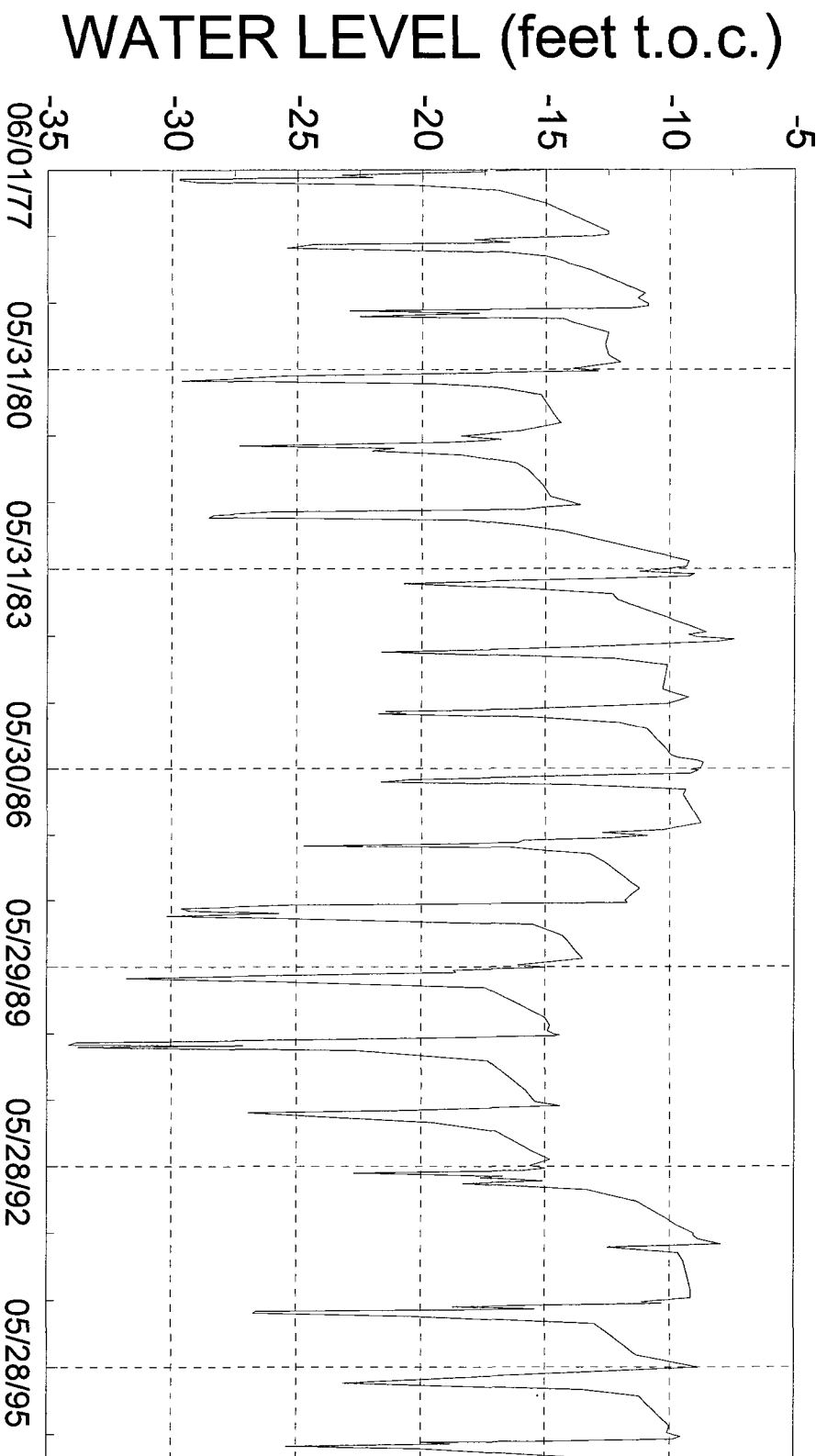
WATER RIGHTS OBSERVATION WELL

TU-77H



WATER RIGHTS OBSERVATION WELL

TU-771



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5973-3, Joe Hummel**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5973-3, Joe Hummel, Box 27, Davis, SD 57021.

The Chief Engineer is recommending APPROVAL of Application No. 5973-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well 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. The well authorized by Permit No. 5973-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from a depth of approximately 100 feet to the surface pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
February 3, 1997



**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.

February 4, 1997

Joe Hummel
Box 27
Davis, SD 57021

Dear Mr. Hummel:

Water Permit Application No. 5973-3 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 New Era printed at Parker, SD (Ph # (605) 297-4416). 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.

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

February 4, 1997

The New Era
Box 577
Parker, SD 57053-0577

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5973-3 to be published twice. Please publish the first notice on February 13, 1997, 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 Joe Hummel, Box 27, Davis, SD 57021 (Ph # (605) 238-5219).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program
Joe Foss Building
Pierre SD 57501-3181

No. 5973-3

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 February 13, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5973-3 to Appropriate Water

Notice is given that Joe Hummel, Box 27, Davis SD 57021 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Upper Vermillion Missouri Aquifer) approximately 185 feet deep located in the center of the SE 1/4 Section 30 to irrigate 160 acres located in the SE 1/4 Section 30; all in T98N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5973-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. 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 Program, 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 March 3, 1997.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Turner) SS

I, Mary Lee

certify that the attached printed Notice was taken
from the New Era

printed and published in Parker

County of Turner and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Feb 13 & 20, 1997

Cost of Printing \$37.29

Mary Lee
(Signature)

Office Manager
(Title)

2-21-97
(Date Signed)



Notice of Application No. 5973-3 to Appropriate Water

Notice is given that Joe Hummel, Box 27, Davis, SD 57021, has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Upper Vermillion Missouri Aquifer, approximately 185 feet deep located in the center of the SE 1/4 Section 30 to irrigate 160 acres located in the SE 1/4 Section 30; all in T98N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5973-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is beneficial use of water, and 4) 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 Program, 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 March 3, 1997.

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 Program address to request copies of information pertaining to this application.

Nettie H. Myers, Secretary,
Department of Environment and
Natural Resources

#1456, February 13 and 20, 1997.

5973-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 28 1997

Joe Hummel
Box 27
Davis, SD 57021

Dear Mr. Hummel:

Enclosed is Water Permit No. 5973-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date July 21/97

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Joe Hummel Box 27
(name) (address)

Davis S. Dak 57021 238-5219
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5973-3.

Water Permit No. 5973-3 states that the diversion system is to be constructed by March 3 2002, and that the water is put to beneficial use by
(date)

March 3 2006
(date)

The diversion system was completed on June 10/97.
(date)

Applying the water to beneficial use was completed on June 10/97.
(date)

You may schedule an inspection so that the Water License may be issued.

Joe Hummel
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: JOE HUMMEL, BOX 27, DAVIS, SD 57021

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5973-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5973-3 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 the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5973-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 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 at (605) 773-3352.

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

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:

JOE HUMMEL
BOX 27
DAVIS SD 57021

4a. Article Number

119 141 234

4b. Service Type

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

7. Date of Delivery

1-10-98

5. Received By: (Print Name)

Joe Hummel

6. Signature: (Addressee or Agent)

X Joe Hummel

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

January 15, 1998

5973-3

Joe Hummel
Box 27
Davis, SD 57021

Dear Mr. Hummel:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 5973-3.

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



5973-3

**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: JOE HUMMEL, PO BOX 27, DAVIS, SD 57021 0027

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5973-3 & 6335-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5973-3 & 6335-3 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) 5973-3 & 6335-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 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 at (605) 773-3352.

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



5973-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9227

Your item was delivered at 9:35 am on January 24, 2004 in ALAMO, TX 78516. The item was signed for by L HUMMEL.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9227

JOE HUMMEL
PO BOX 27
DAVIS SD 57021 0027

before mailing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail®
☐ Package Services



5973-3

**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 21, 2004

5973-3
6335-3

Joe Hummel
PO Box 27
Davis SD 57021-0027

Dear Mr. Hummel:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit Nos. 5973-3 and 6335-3.

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

APR 19 2005

6335-3

Joe Hummel
PO Box 27
Davis SD 57021

Dear Mr. Hummel:

Enclosed is Water License No. 6335-3. This is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

NOTE: The applicable portions of No. 5973-3 are incorporated into Water License No. 6335-3.

enclosures