

1. Dated August 14, 1919 Appl. No. 1000

2. Name of Applicant The Salt Lake City Water Works

3. Post Office Address Box 1200, Salt Lake City, Utah

4. Amount of water claimed 1.26

5. Source of water supply Utah Lake

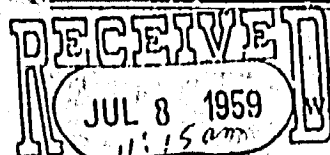
6. Water to be used for irrigation
Acres to be irrigated 88.57

7. Water to be diverted and used in Shink County about
1 million acres of land

8. Proof of Publication
Received ☒
Not Received ☐

9. Application
Approved ☒
Subject to _____
Not approved ☐
Action deferred ☐

10. Remarks


STATE WATER RESOURCES COM. I.
PIERRE, SOUTH DAKOTA

No. 616-3

Water Division No. 2 James River District
(Blanks to be Filled by the Engineer for the W. R. C.)

RECEIVED

JUN 6 9:00

STATE WATER RESOURCES
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant HASKELL-TOLBERT-HASKELL COMPANY

Postoffice address Box 1393, Pierre, County Beadle, State South Dakota

I. If a corporation HASKELL-TOLBERT-HASKELL COMPANY, A CORPORATION

(a) Name of same

(b) Date and place of incorporation July 22, 1950, State of South Dakota, Pierre, S. D.

(c) Amount of capital stock \$500,000.00 Authorized \$125,000.00 Issued

(d) Amount paid in \$125,000.00

(e) Names and addresses of directors A. H. HASKELL, ALFRED P. HASKELL, AND ALBERT
H. HASKELL, JR. ADDRESSES OF ALL HUROM, SOUTH DAKOTA

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

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

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

Contract and direct labor

(b) Cash on hand, \$ 8,000

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work HASKELL IRRIGATION PROJECT # 1

3. Amount of water claimed 1.264 cubic feet per second

4. Source of water supply James River

5. Location of point of diversion from NE corner Section 28-114-62 S. 90° W. 28 rods
42 from SE corner Section 28-114-62 N. 25° W. 70 rods bank SPINK County.

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

7. To be used for:

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

(a) Number of acres to be irrigated

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivided as a part of this a

(c) Statement as to domestic use (g)

LANDS TO BE IRRIGATED

Location	Section	Twp.	Range	Acres
NE 1/4 NE 1/4	29	11N	R62W	22.7
NE 1/4 NW 1/4	27	11N	62	12.9
SE 1/4 NW 1/4	27	11N	62	23.1
SW 1/4 NW 1/4	28	11N	62	19.8
TOTAL				83.5

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use None

Name any of the above uses claimed

(b) Amount of power to be generated 0 horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 477-3

8. Estimated cost of work:
- (a) Head Gates, \$.....
(c) Fluming, \$.....
(e) Other structures

(b) Pumping plant, \$.....
(d) Canal-earth, \$.....
Rock, \$.....
Total, \$.....

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

- II. Dimensions of works:
- (a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face....., slope.....; material used in construction
- (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE- FEET CAPACITY

- (c)* Head gate: Width.....feet; height.....feet;
Material
- (d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work five years.
11. Time required for complete application of water to the proposed beneficial use five years.
12. Choice of newspaper for publication of notice of intention to appropriate The Redfield Press

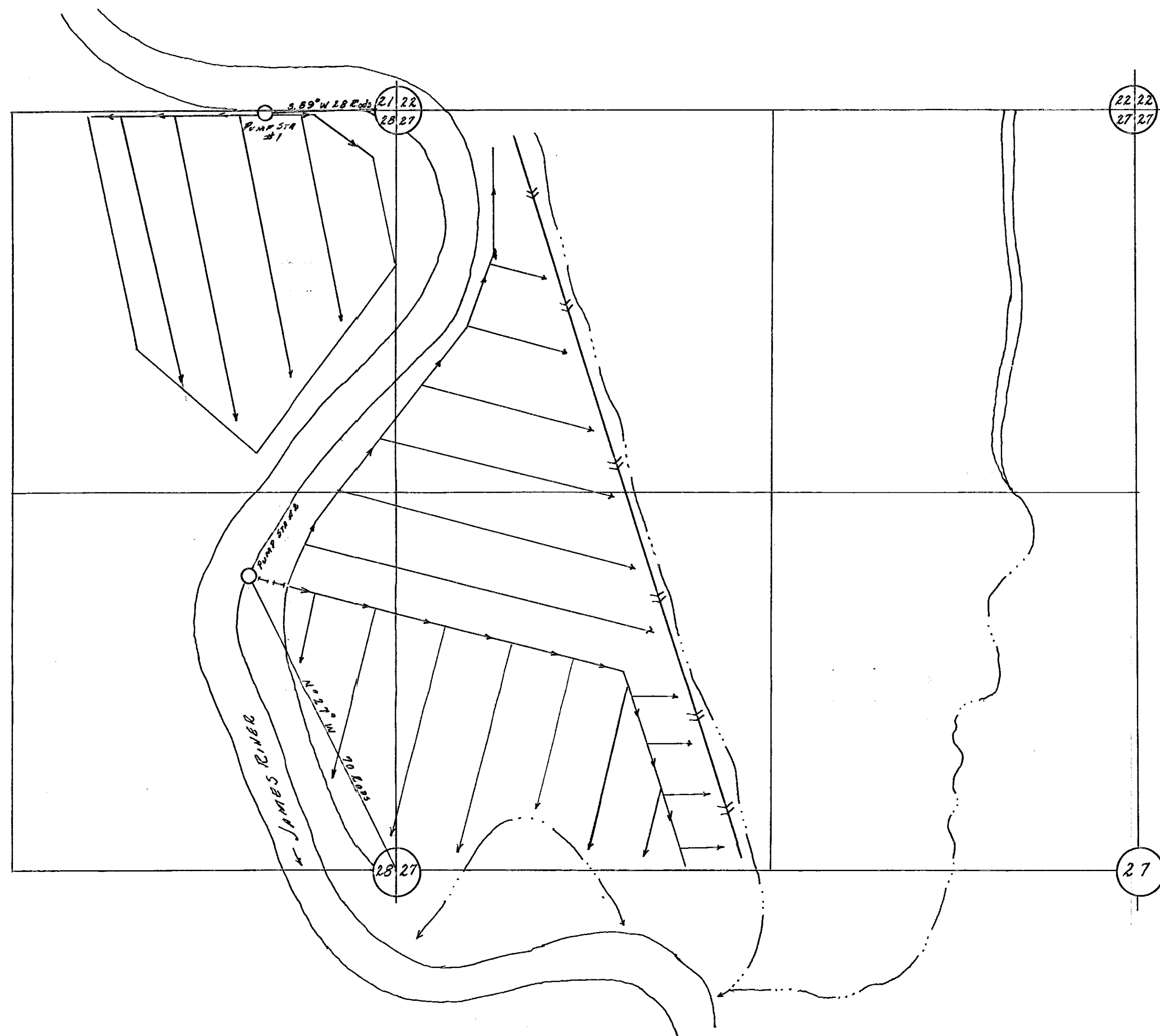
STATE OF SOUTH DAKOTA
County of Beadle } ss.

I, A. M. Haskell, President of Haskell-Tompkins-Haskell Co., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Subscribed and sworn to before me this 5th day of June, 1919

Signed A. M. Haskell
as president of Haskell-Tompkins-Haskell Company
a corporation,
Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.



Lands to be Irrigated

Location	Sec.	Twp	Range	Acres
N ² N ²	28	114 N	R 62 W	22.7
NW ² NW ²	27	114	62	12.9
SW ² NW ²	27	114	62	33.1
SE ² NE ²	28	114	62	19.8
TOTAL				88.5

Scale: 1" = 300'

→ Irrigation ditch
 → Drainage ditch

--- Pipe line

.... Intermittent stream
 O Pump sites

I, MAXWELL M. FINE DO HEREBY CERTIFY THAT
 THIS MAP IDENTIFIES THE LAND OF THE HASKELL #1
IRRIGATION PROJECT
 SIGNATURE: Maxwell M. Fine
 TITLE: REED ENGINEER
 U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 28 DAY OF
MAY, 1959 A.D.
Mildred Johnson
 NOTARY PUBLIC

HASKELL #1 IRRIGATION PROJECT

SPINK County, South Dakota
 U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	Sheet No. of	Drawing No.

Remarks by State Water Resources Commission:

Use of waters under this permit is subject to flows in the James River of 25 cfs or more past your diversion point

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 10, 1960

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
a.m. upon the 6th day of June, 1959.

State Water Resources Commission

By: Barton L. Jones
for Chief Engineer, Executive Officer

Number of permit 616-3

Date of first receipt of application June 6, 1959

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right June 6, 1959

Approved April 6, 1960, Recorded in Book 6 Page 47

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

October 6, 1962

2nd. The whole of said work is to be completed on or before April 6, 1965

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

April 6, 1965

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

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

6th. The amount of the appropriation herein granted shall not exceed 1.26 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before April 6, 1965; said water to be used during the following described annual period:

May to October, inclusive

Witness my hand this 10th day of May, 1960.

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 9, 1962

Water License Issued NOVEMBER 9, 1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. 616-3

WHEREAS, On the 9th day of June A. D. 1959
 Haskell - Tompkins - Haskell Company
 of Huron County of Beadle and State of
 South Dakota duly made application (No. 616-3) to us for a permit to use 1.26
 cubic feet per second of the waters of the James River
 County of Spink, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 19th day of May A. D. 1960
 Permit No. 616-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 6th day of
 April A. D. 1965 and for the application to beneficial use of said
 water on or before the 6th day of April A. D. 1965
 and,

WHEREAS, On the 22nd day of August A. D. 1962
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.26
 cubic feet per second of said waters, as evidenced by our Certificate No. 616-3
 dated November 9, 1962 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.26 cubic feet per second of water, with date of
 priority of June 6, 1959 and,

WHEREAS, On the 22nd day of August A. D. 1962
 proof was duly made of the application to beneficial use of 1.26 cubic feet per second of said water;
 for irrigation of 89.5 acres in Sections 27 and 28, T114N, R62W

n Book ----- of ----- Page -----

Permit No. 616-3Water Division No. 3 James River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Haskell - Tompkins - Haskell Company

of Huron, County of Beadle, and State of South Dakota, the holder of Permit No. 616-3, issued upon Application No. 616-1, bearing date of priority of June 6, 1959, authorizing the diversion of 1.26 cu. ft. per second of the waters of the James River County of Spink, State of South Dakota, at points S29°W 23 rods from the NE corner, Section 28, T114N, R62W, and N27°W 70 rods from the E $\frac{1}{2}$ corner, Sec. 28, T114N, R62W, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.26 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All in T114N, R62W

Section 17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	12.9 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.1 "
Section 28	NE $\frac{1}{4}$ NE $\frac{1}{4}$	22.7 "
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	19.8 "
	Total	88.5 "

Witness my hand this 9th day of November A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. ORMES

(First Publication before July 17, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 3, 1959

Notice is hereby given that Haskell-Tompkins-Haskell Company whose postoffice address is Box 1393, Huron S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.26 cubic feet of water per second of time from the James River through the Haskell Irrigation Project #1 the point of diversion of which is to be located on the both bank of said stream/in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28 both in parts of Twp. 114 N Range 62 E. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$ Sec. 28 and the NW $\frac{1}{4}$ Sec. 27 all in T 114 N, R 62 W

~~XXXX~~ XXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of August, 1959, at 2:00 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
Lee Wyborny, Water Rights Engineer

cc Harold Jones, Manager
 The Redfield Press
 Redfield, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Spink

ss.

Harold D. Jones being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Redfield Press a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Redfield County of Spink and State of South Dakota; that the said notice was published in said newspaper on the following dates:July 9, 16, 23, 30, 1959in each and every issue of the full number thereof, the first publication being made on the 9th day of July1959 and the last publication on the 30th day ofJuly 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas The editor the printer and publisher of the said newspaper.Subscribed and sworn to before me this 30th day of July A. D. 1959Notary Public Spink County, S. D.

No. 15

No. 616-3

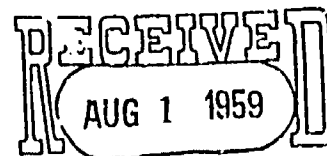
APPROPRIATION OF WATER
Office of State Water Resources
Commissioners

Pierre, S. Dak., July 3, 1959.
Notice is hereby given that Haskell-Tompkins-Haskell Company whose post-office address is Box 1333, Huron, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.25 cubic feet of water per second of time from the James River through the Haskell Irrigation Project No. 1, the point of diversion of which is to be located on both banks of said stream at a point in the NE¹/₄ NE¹/₄ and a point in the SE¹/₄ of the NE¹/₄ both in Section 26, Twp. 114 N., Range 63 W. Said water to be used for the purpose of providing irrigation on parts of the following described lands:

E¹/₄ NE¹/₄, Sec. 28 and the W¹/₄ NW¹/₄, Sec. 27 all in T 114 N., R 63 W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of August, 1959, at 2:00 P.M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources
Commission
By: Les Wyborny,
Water Rights Engineer
(July 9, 19, 23, 30)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

Office of
WATER RESOURCES COMMISSION
Pierre, S.D.

May 11

19 60

Haskell-Tomlins-Haskell Co.Box 1393Huron, South DakotaDear Mr. Haskell:

Enclosed herewith please find your application No. 616-3 for a permit to appropriate 1.26 cubic feet of water per second through the Haskell Irrigation Project #1 to which we have given our approval, thus authorizing you to make the appropriation requested under the Conditions therein stated.

Prior water rights have been obtained for use of water from the James River. These prior rights would be affected by your withdrawals during low flow periods.

Previous action by the Water Resources Commission indicates a flow of 15 cfs is needed over the Huron City Dam for downstream prior water rights and domestic use. In addition, another 10 cfs is needed between your diversion and the Huron dam for other prior rights and domestic use. Therefore, your permit is granted subject to 25 cfs flowing past your diversion point.

Using U.S.G.S. stream flow records for the James River in your area, the following chart has been prepared and shows how many days you would not have been permitted to pump during the past 10 year period.

<u>Year</u>	<u>July</u>	<u>August</u>	<u>September</u>
1950	0	0	0
1951	0	15	30
1952	0	11	30
1953	0	0	0
1954	0	17	30
1955	19	11	30
1956	0	6	30
1957	0	27	30
1958	8	31	30
1959	31	31	30

You will note that during extremely dry years (such as 1959) there is not enough water for your irrigation. However, during most years there is ample water for irrigation during July and a portion of August. Water shortages in September would limit your pumping activities in most years.

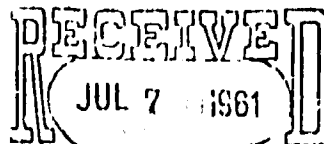
As soon as the construction nears completion, this office should be notified so that inspections may be made with a view to issuing you a final water license. For your convenience, we are enclosing blank forms which you may wish to use when notifying us that you are ready for the inspection of your irrigation works and beneficial use of water.

Very respectfully,

State Water Resources Commission

By:

J.W. GRIMES, Chief Engineer, Executive Off.



Permit No. ... 616-3

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Water Division No

Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) PO Box 1393, Huron, South Dakota,

(Date) June 6, 1961

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

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 1,264
..... cu. ft. per second of the waters of the state from James River
through the Haskell Irrigation Project No. #1
for irrigation purposes
..... in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Haskell-Tompkins-Haskell-Company

2. The postoffice address of such person or the place of business of such corporation is Huron
County of Beadle State of South Dakota

3. The number of such permit is 616-3 and the date set for the completion of such work is
As soon as leveling can be done, pump and pipe string set up and might be practical
to irrigate 40 to 50 acres before leveling is completed. Land has been floated once
ground prepared and planted to corn and cane and fertilized.
4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of
water which said works are capable of conducting to the place of intended use, in accordance with the plans ac-
companying the application for such permit, is 1,264 cubic feet per second.

6. The amount of land for which said water is available is 88.5 acres,
particularly described as follows:

NE 1/4	Section 28,	Twp. 114N,	Range 62W	22.7	acres
NE 1/4	"	27	" 114N	" 62	12.9 "
SW 1/4	"	27	" 114	" 62	33.1 "
SE 1/4	"	28	" 114	" 62	19.8
				<u>88.5</u>	

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

(Signature of Owners)

HASKELL-TOMPKINS-HASKELL CO.

By

President

Permit No. 616-3Water Division No. 3 James River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
Haskell-Tempkins-Haskell Co., of _____
Beadle County, South Dakota, holder of Permit No. 616-3, issued
 upon Application No. 616-3, bearing date of priority of June 6, 1952, authorizing the
 diversion of 1.264 cu. ft. per second of the waters of James River for Irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: One Berkeley Centrifugal ^{Mod. #} Sec. # 1-B3264-18
rated @ 600 G.P.M., run by a 44. Ford, 134 cu in. 25 H.P.
30 Lengths of 30' x 6" LH Gated Pipe (9 gates ea. 30' apart)

and the system is in the following condition: Good

The point of diversion is located ^{#1} from NE corner Section 28-114-62 S 82° W 28 rods
^{#2} from E 1/4 cor. Sec. 28-114-62 N 27° W 70 rods.

The works are capable of diverting and conveying to the place of use 1.26 cu. ft. per second of water,
 which is to be used for Irrigation

	Sec.	Tract	Page	Acres
The legal sub-divisions to be irrigated are: <u>NE 1/4 NE 1/4</u>	<u>28</u>	<u>114</u>	<u>62</u>	<u>22.7</u>
<u>NW 1/4 NW 1/4</u>	<u>27</u>	<u>114</u>	<u>62</u>	<u>12.9</u>
<u>SW 1/4 NW 1/4</u>	<u>27</u>	<u>114</u>	<u>62</u>	<u>33.1</u>
<u>SE 1/4 NE 1/4</u>	<u>28</u>	<u>114</u>	<u>62</u>	<u>17.8</u>

comprising a total of 88.5 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 22 day of August, A. D. 1952.

—SEAL—

William H. Miller
Examining Engineer.

December 22, 1965

Haskill, Tompkins, Haskill, Inc.
P. O. Box 1373
Huron, South Dakota 57350

Dear Sir:
0:

Last summer near the end of July, the flow of the James River above Huron became so low that the Water Resources Commission began preparations to stop, and or, reduce irrigation withdrawals from this section of the river, as provided for in the water right permits.

At this time, the first of a number of aerial inspections were made along this river section. On such inspections, it was readily apparent:

1. What land was being irrigated from the river,
2. If a water right had been issued for such irrigation,
3. If the irrigation to some degree, violated the provisions of the water right authorizing such specific irrigation.

During very early August of 1965, abundant rainfall occurred in the James River Drainage Basin in northern Brown County and in southern North Dakota. While there was considerable lag in time before this water became available for irrigation between Redfield and Huron, daily stream flow records upstream from Redfield showed there would be sufficient water for authorized irrigation downstream from Redfield.

This information is being sent to you for the following reasons:

1. So that each irrigator will know, that as water flows of the James River become seasonally reduced, the Water Resources Commission will be well aware of the flow conditions of the river and of the individual irrigation from the river and will be issuing stop orders or reducing orders to the degree necessary and as provided for in the water right permit,

C O P Y

2.

2. And so that each water right holder will check the provisions of his water right and if such provisions indicate that water will often not be available to him in late season, so plan his crops so as to afford least risk for his investment.

Sincerely,

J. W. Grimes
Chief Engineer and
Executive Officer

COPY

616-3

COMMISSION

John M. Garhart, Spearfish
Lester Blue, Parker
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton F. Fischer, Milbank
Richard Lommen, Harrisburg
Clarence D. Mortenson, Hayes
Dick Fisher, Cressden

South Dakota
WATER RESOURCES COMMISSION

State Office Building #2

PIERRE, SOUTH DAKOTA 57501

J.W. GRIMES

Chief Engineer
and
Executive Officer

PHONE
224-3581
Area Code 605

August 7, 1970

Haskell, Tompkins, Haskell, Inc.
Box 1373
Huron, South Dakota

Dear Sirs:

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses, ---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the north boundary of Spink County and the south boundary of Hanson County shall cease effective 6:00 P.M., August 10, 1970, and until January 1, 1971, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 616-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1970. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. Grimes
J.W. GRIMES

JWG/DD/bw

P.S. The Water Permits of almost every water right holder receiving this letter contains the August 10th irrigation stoppage qualification or a low flow qualification which prohibits diversion of water from the existing low flows of the James River, and if this special order were not issued.

COMMISSION

South Dakota

J.W. GRIMES

Chief Engineer
and
Executive Officer

Carl Cronin, Gettysburg
W. Neil Evans, Watertown
Milton E. Fischer, Milbank
Glen Garrett, Fort A, Pierre
Stanley Jensen, Brookfield
Richard Loomen, Fortisturg
Clarence D. Mortenson, Huron
Elmer Varley, Gettys

Water Resources Commission

State Office Building #2

PIERRE, SOUTH DAKOTA 57501

PHONE 605/234-2344

6-22-73

Haskell-Tompkins & Haskell
Box 1373
Huron, S.D. 57350

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses,---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the James River Bridge east of Ashton, South Dakota and the 3rd Street Dam in Huron, South Dakota shall cease effective 6:00 P.M., July 1, 1973, and until January 1, 1974, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 616-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1973. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. GRIMES

JEG/DD/bw

Permit No. 616-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Haskell-Tompkins-Haskell Company of Huron SD holder of Permit No. 616-3, bearing the priority of June 6 1959 authorizing the diversion of 1.26 cu. ft. per second of the waters of the James River for irrigation purposes, in Beadle County.

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

A. Works used to divert the water:

pump: Berkeley PTO
S.N. 767807, imp 9in.
M.N. B32 RM CCW

Heinzman
M.N. 1034
S.N. 10760366

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

gated pipe: size - 6in.
length - 600 ft
spacing - 40 in.
capacity - 600 gpm

C. Works used to apply water to beneficial use:

The system is in the following condition goodThe point of diversion is located James River: along river at any point in the E $\frac{1}{2}$ NE $\frac{1}{4}$, sec 28 - T114N - R62WThe works are capable of diverting and conveying to the place of use 1.33cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows:

	Acres
<u>NE$\frac{1}{4}$NE$\frac{1}{4}$ sec 28 - T114N - R62W</u>	<u>23.0</u>
<u>SE$\frac{1}{4}$NE$\frac{1}{4}$ "</u>	<u>9.4</u>
<u>NW$\frac{1}{4}$NW$\frac{1}{4}$ sec 27 - T114N - R62W</u>	<u>15.0</u>
<u>SW$\frac{1}{4}$NW$\frac{1}{4}$ "</u>	<u>33.0</u>

comprising a total of 80.4 acres of land and the license should be issued for 1.14 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are _____ Date April 26, 1985

Don Savall
Superintendent

NOT TO SCALE

NOT TO SCALE

616

616-3

T734

T762

T763

20.1
1

60.3
3

33.4
2

NC

NC

NC

NC

28

T725

20.3
1

T723

27

T7?

18.7
2

47.8
1

NC

NC

A-11

379-234R

NC

NC

114-62

A-12

379-233R

114-62

T293

T722

T724

T772

NC

NC

118
8

Ron Duwall
Natural Resources Eng.

20.7
4

License No. 616-3

Handwritten signature/initials

State of South Dakota

REISSUANCE OF Water License No. 616-3

(1) Haskell-Tompkins-Haskell Co.

of PO Box 1393, Huron SD 57350 was issued Water License No. 616-3

made Application No. , November 9, 1962 for a ^{right} ~~water permit~~ to appropriate

1.26 cubic feet per second of water from the James River

Beadle County, South Dakota for irrigation purposes.

Water License 616-3, with a priority date of June 6, 1959

~~Permit~~ No. 616-3, was approved and issued to applicant(s) for diversion of water with construction of the described

water supply system to be completed on or before and for the application to beneficial use of said

water on or before completed.

Water License No. 616-3 dated November 9, 1962 was issued for diversion of 1.26 cfs from the James River to irrigate 88.5 acres.

Based on an April 26, 1985 inspection of the water use system the license is being reissued to reflect what is actually being irrigated.

and

(2) It is certified that the application 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 1.14 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is along the James River at any point

in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 25, T114N, R62W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T114N, R62W

Section 28 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.0 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.4 "

Section 27 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15.0 "

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.0 "

TOTAL 80.4 acres

(4) Pursuant to §16-5-30.1 Haskell-Tompkins-Haskell

of PO Box 1393, Huron SD 57350

the holder(s) and/or owner(s) of Water ^{Right} ~~Permit~~ No. 616-3 is issued a license to appropriate water, the right to use 1.14 cubic feet per second of water from the James River with a priority date of June 6, 1959 from the location specified in (2) of this license. The water to be 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 Water ^{Right} ~~Permit~~ No. 616-3 and subject to South Dakota State Law.

John H. Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 20 1985



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

DEC 20 1985

Haskell-Tompkins-Haskell Co.
PO Box 1393
Huron SD 57350

Dear Sirs:

Enclosed is your Water Right License No. 616-3. The water license has been reissued to the extent of what is actually being used. The relicense is based on a April 26, 1935 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure



Department of Water & Natural Resources

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

April 18, 1988

616-3

Sam Hofer, Op.
Haskell-Thompson-Haskell
PO Box 53
Hitchcock, SD 57348

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Hofer:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND-SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

James River Flow* Record

<u>Date</u>	<u>LaMoure</u>	<u>Ludden</u>	<u>Columbia**</u>	<u>Ashton</u>	<u>Huron</u>	<u>Forestburg</u>	<u>Scotland</u>
04/06/88	81.2	(state	15.0	37.7	48.0	105	285
04/11/88	134	line)	12.4	34.3	39.4	60.9	167
04/13/88	150		8.99	21.4	34.3	55.7	122
04/14/88	159	190	21.3	34.3	32.0	50.8	115
04/15/88	142		57.0	45.6	32.0	48.9	112

* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

** Sand Lake Refuge has increased releases due to inflows

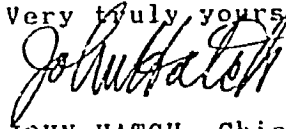
The flow in North Dakota at LaMoure, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 15 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SD State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

cc: Haskell-Thompson-Haskell
PO Box 1393
Huron SD 57350

 **Department of
Water & Natural Resources**

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

May 18, 1988

NOTICE OF SHUTOFF ORDER

616-3

TO: Sam Hofer, Op.
PO Box 53
Hitchcock, SD 57348

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Shut Off Order To James River Water Right Holders Located Above
Huron, Effective 12:00 Noon, May 25, 1988.

I am certain that you are aware that James River flows are not enough to supply all water rights. Therefore, to protect the City of Huron's senior water rights and to provide water for domestic use (livestock watering), effective 12:00 noon on May 25, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

The following is the latest flow information that we have on the river:
(these are provisional records - flow measured in cubic feet per second)

Date	LaMoure	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
05/09/88	5.5	156	6.57	51.4	62.0	57.7	72.0
05/10/88	4.2	48.0	16.3	43.7	65.1	65.3	87.4
05/11/88		.05	9.23	31.6	45.0	68.8	82.0
05/12/88	4.6	5.79	6.30	30.3	51.3	68.8	79.4
05/13/88	0.30	0.45	6.46	30.0	48.0	65.3	76.9
05/16/88	0.50	3.09	3.15	21.1	45.0	49.9	62.8
05/17/88	0.0	0.0	4.84	16.0	42.1	43.7	58.5
05/18/88	0.0	0.0	3.51	12.8	6.8*	39.6	50.7

* South wind affecting the reading

As the information listed above shows, there is almost no James River flow in North Dakota and the flows in South Dakota are steadily decreasing. Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

cc: Haskell-Thompson-Haskell, PO Box 1391, Huron SD 57350
City of Huron





Department of Water & Natural Resources

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

May 24, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

616-3

TO: Sam Hofer, Op.
PO Box 53
Hitchcock, SD 57348

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 1, 1988
due to Increased Flows in the James River.

The rains this past weekend over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 1, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.

cc: Haskell-Thompson-Haskell, PO Box 1393, Huron SD





Department of Water & Natural Resources

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

May 31, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

616-3

TO: Sam Hofer, Op.
PO Box 53
Hitchcock, SD 57343

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

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 15, 1988
due to Increased Flows in the James River.

The rains over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 15, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.

cc: Haskell-Thompson-Haskell, PO Box 1393, Huron SD 57350



 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 17, 1989

616-3

Sam Hofer
Box 53
Hitchcock, SD 57348

Dear Mr. Hofer:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 616-3. The water right is currently listed in the name of Haskell, Tompkins & Haskell. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



L



Department of Water & Natural Resources

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

July 17, 1989

NOTICE OF SHUTOFF ORDER

616-3

TO: Haskell-Tomkins-Haskell
PO Box 1393
Huron, SD 57350

FROM: John Hatch, Chief Engineer
Water Rights Division
(605)773-3352

SUBJECT: Shut Off Order to James River Water Right Holders
Located above Huron Effective 12:00 Noon July 20, 1989.

The flows in the James River have dropped to less than 20 cfs at Huron. Therefore to protect the City of Huron's prior rights and domestic uses (livestock watering) on the James River, effective 12:00 noon on July 20, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from the James River.

If you have any questions, please contact James Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent
Sam Hofer, Operator





Department of Water & Natural Resources

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

April 6, 1990

NOTICE OF SHUTOFF ORDER

616-3

TO: Haskell-Tomkins-Haskell
PO Box 1393
Huron, SD 57350

FROM: *for* John Hatch, Chief Engineer *Delvin D. Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Shut Off Order to All James River Irrigation Water Right Holders-Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at most of the gaging stations. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) on the river below Huron, effective immediately, no pumping of water from the James River is authorized until January 1, 1991 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the 1990 irrigation season from the James River. If conditions do improve, notices will be issued, based on senior priority dates, to allow pumping by irrigators.

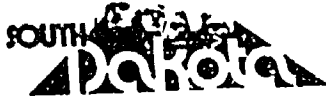
Sand Lake Wildlife Refuge is approximately one foot below the full level. The Refuge is entitled to the flows from North Dakota under a senior water right. The flows from North Dakota are expected to decrease due to the lack of snow pack. The storage levels in the Jamestown and Pipestem Reservoirs are down with no expected releases.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland	Yankton
3/28/90	----	----	----	----	----	----	30.2
4/2/90	----	3.5	8.0	0	6.0	15.0	----
4/4/90	51.0	10.0	10.0	0	5.4	22.0	----

If you have any questions, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

August 2, 1990

RESCISSION OF SHUTOFF ORDER

616-3

TO: Haskell-Tomkins-Haskell
PO Box 1393
Huron, SD 57350

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of April 6, 1990 Shutoff Order to James
River Water Right Holders

The present flow conditions on a portion of the James River below Ashton appear to be of sufficient quantities to allow for irrigation. The Shutoff Order of April 6, 1990 is rescinded, this notice is effective immediately, for the section of the James River downstream from Ashton to the James River Diversion Dam. The mandatory August 10 shutoff date is still in effect, but exceptions to this will be handled on a case by case basis by contacting the Water Rights Division.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.



Department of Water & Natural Resources

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

August 8, 1990

NOTICE

616-3

TO: Haskell-Tomkins-Haskell
PO Box 1393
Huron, SD 57350

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. On some of the older permits this qualification though not listed is still valid and must be followed. Since there are still flows in portions of the James River, continuation of diversions beyond the shutoff date will be considered on a case by case basis. To do this you need to contact Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

<u>DATE</u>	<u>LUDDEN</u>	<u>COLUMBIA</u>	<u>ASHTON</u>	<u>HURON</u>	<u>FORESTBURG</u>	<u>SCOTLAND</u>
8/06/90	0.0	0.0	14.3	128.0	188.0	99.0
8/01/90	0.0	0.0	10.6	108.1	166.5	119.5
8/02/90	0.0	0.0	7.6	99.0	146.2	138.9

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent

 **Department of
Water & Natural Resources**

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

April 2, 1991

616-3

Haskell-Tomkins-Haskell
PO Box 1393
Huron, SD 57350

Dear Sir :

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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



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

August 5, 1991

NOTICE

616-3

TO:

Haskell-Tomkins-Haskell
PO Box 1393
Huron, SD 57350

FROM:

for JOHN HATCH, Chief Engineer *Delvin D. Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

DATE	LUDDEN	COLUMBIA	ASHTON	HURON	FORESTBURG	SCOTLAND
7/31/91	6.7	63	130	139	142	148
8/02/91	17	58	125	134	139	154
8/05/91	0.3	36	101	128	140	166

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone (605) 773-3352

cc: City of Huron, Water Superintendent



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1992

NOTICE OF SHUTOFF ORDER

616-3

TO: SAM HOFFER
HASKELL -TOMPKINS-HASKELL CO
P O BOX 1393
HURON, SD 57350

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

SUBJECT: Shut Off Order to All James River Water Right Holders
Above Huron, Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at the gaging stations above Huron. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) below Huron, effective immediately, no pumping of water from the James River above Huron is authorized until January 1, 1993 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for 1992 from the James River above Huron diversion dam. If conditions improve, notices will be issued, based on senior priority dates, to allow pumping by water users.

Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is receiving below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
4/7/92	83	.4	9	32	40	57
4/10/92	54	.6	7	20.5	---	57
4/13/92	6	.6	4	20.5	---	55

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 22, 1992

RESCISSION OF SHUTOFF ORDER

616-3

TO: HASKELL-TOMPKINS-HASKELL
P O BOX 1393
HURON, SD 57350

FROM: *for* John Hatch, Chief Engineer *Delwin W. Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of April 14, 1992 Shutoff Order
to James River Water Right Holders above the
Huron Third Street Dam to Ashton.

The present flow conditions on the James River are sufficient to allow for diversions. The Shutoff Order of April 14, 1992 is rescinded, effective immediately, for all James River Water Right Holders between the Huron Third Street Dam and the Ashton gaging station. We will continue to monitor the flows of the James River through the summer. The present increase in flow may only be temporary. If the present flow conditions continue, pumping will be allowed until the mandatory August 10 shutoff date. Pumping after the August 10 shutoff date will be handled on request and requires written approval from the Chief Engineer.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.

cc: City of Huron, Water Superintendent



6016-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: SAM HOFER, OPERATOR
RR 1 BOX 53
HITCHCOCK SD 57348

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 616-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 616-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

cc: Haskell, Tompkins & Haskell, PO Box 1393, Huron, SD 57350-1393

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:

SAM HOFER, OPERATOR
RR 1 BOX 53
HITCHCOCK SD 57348

616-3

4a. Article Number

P 906 510 015

4b. Service Type

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

7. Date of Delivery

1/30/73

5. Signature (Addressee)

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

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. How 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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Haskell, Tomphins & Haskell
P.O. Box 1393
Huron SD 57350-1393

4a. Article Number

6016-3 P 906 300 216

4b. Service Type

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

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

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

PS Form 3811, December 1951 U.S. GPO: 1952-327-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

616-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 1993

616-3

Sam Hofer
RR #1 Box 53
Hitchcock, SD 57348

Dear Mr. Hofer:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 616-3. You may disregard the January 29, 1993 Notice for Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaire was received prior to the Water Management Board Meeting and your name has been deleted from the agenda. If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Haskell, Tompkins & Haskell, PO Box 1393, Huron, SD 57350

616-3

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

SAM HOFER, OPERATOR
40004 188TH ST
HITCHCOCK SD 57348 7803

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

Sam Hoyer

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

J. 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)

7000 0600 0026 9814 3413

PS Form 3811, July 1999

Domestic Return Receipt

102595-CO-M-0952



616-3
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: SAM HOFER, OPERATOR, 40004 188TH ST, HITCHCOCK, SD 57348 7803

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 616-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 616-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2001

616-3

Sam Hofer
40004 188th St
Hitchcock, SD 57348-7803

Dear Mr. Hofer:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 616-3.

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

NUTRAMIGEN[®]

PROTEIN HYDROLYSATE FORMULA

*This permit is on Haskell
Tompkin Haskell Co. we have
brought this land and what
do we need to do to have
this permit put on our name*

Sam Hofel



616-3

FOR THE DIETARY MANAGEMENT
OF INFANTS WITH COLIC AND FOOD ALLERGY



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2001

616-3

Sam Hofer
40004 188th St
Hitchcock, SD 57348-7803

Dear Mr. Hofer:

Thank you for the prompt return of your 2001 irrigation questionnaire.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with the water right. Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosure

RECEIPT

Water Rights Program

Department of Environment and Natural Resources
Pierre, December 3

N2 417001

20 01

South Dakota Department of Environment and Natural Resources
Pierre, December 3

South Dakota Department of Environment and Natural Resources
Pierre, December 3

40004 188th St., Hitchcock, SD 57348

RECEIVED OF Sam Hofer, 40004 188th St., Hitchcock, SD 57348
the following amount in fees for services rendered as provided for by law:

_____ to Appropriate Water, to construct

_____ to Appropriate Water, for Future

_____ to Appropriate Water, for Future

_____ to Appropriate Water, for Future

_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

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_____ after period of seven years.

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_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

_____ after period of seven years.

2 50

2 50

Total

(Any Other Work Provided by Law)

By Darland Erbele gm

Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 616-3

Date: Nov 30 - 01

I/We request that Water Right No. 616-3

formerly owned by: Haskell-Tompkins-Haskell

be transferred to: (name & address) SAM M Hofer

40004-188 St Hitchcock SD 57348 Telephone No. 605-266-2585

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

80.4 acres - E 1/4 NE 1/4 Section 28 and W 1/4 NW 1/4 Section 27, T114N, R62W

I/We understand that the validity of Water Right No. 616-3 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.

STATE OF SOUTH DAKOTA)

County of Beadle)

I/We Sam Hofer being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Sam M Hofer
(Signature of new owner)

Subscribed and sworn to before me this 30th day of November, 2000.

Deanne M Shaw
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 4, 2001

616-3

Sam M Hofer
40004 188th St
Hitchcock, SD 57348-7803

Dear Mr. Hofer:

Thank you for following up on the ownership change for Water Right No. 616-3. The water right, formerly held by Haskell —Tompkins — Haskell, is now listed in your name.

Enclosed is your Receipt No. 417001 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions, please get in touch with me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

2004 Water Management Board Irrigation Questionnaire

Please fill out and return before December 3, 2004

616-3

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V3-IQ.pdf>

No. 616-3

SAM HOFER
40004 188TH ST
HITCHCOCK SD 57348 7803

Any address/ownership corrections?

Telephone No. 605-266-2585

1. Is the system constructed? *yes ☐ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☐

flood ☒ sprinklers ☐ other ☐

2. Did you irrigate in 2004? *yes ☐ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment box and answer No. 3:

3. Is the land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2004? yes ☐ no ☒

5. If permitted for more than one water source, circle each source used. **A** JAMES RIVER

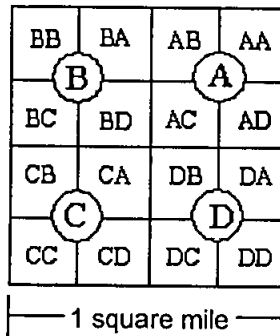
B.

C.

Comment Box

Is planted to alf and I got
4 cutting of alf the rain came
the right time I will plant
corn on some ~~fed~~ next spring
and irrigate the corn.

I want to know if can add 60 Acres
more to the farm



Office use only

RECEIVED

DEC - 6 2004

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 616-3

(see above section map for help reading legal descriptions)

sec 27-T114N-R62W, BB -- 15.00 acres

sec 27-T114N-R62W, BC -- 33.00 acres

sec 28-T114N-R62W, AA -- 23.00 acres

sec 28-T114N-R62W, AD -- 9.40 acres

Please provide your 2004 water use to irrigate the above acreage on the REVERSE side of this form.

For an updated example questionnaire, please refer to the reverse side of your cover letter.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 8, 2004

616-3

Sam Hofer
40004 188th St
Hitchcock SD 57348-7803

Dear Mr. Hofer:

Thank you for returning the 2002 Irrigation Questionnaire. The form indicated you would like to add an additional 60 acres. Enclosed are forms to apply for an *Application for a Permit to Appropriate Water for Irrigation* and instruction sheet.

Please complete the application, sign and have notarized. The filing fee will be based on the number acres to be irrigated. The application filing fee for 60 acres will be \$200. For 60 – 120 acres the filing fee will be \$275.

Also a map will be required showing the location of the James River diversion point marked with an "X". On the map, please outline the acreage you intend to irrigate. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Our suggestion would be to obtain an aerial photo map from the Spink County Natural Resource Conservation Service in Redfield. Someone in the office will be qualified to sign the map.

If you have any questions completing the application, please contact Eric Gronlund or me.

Sincerely,

A handwritten signature in cursive script that reads 'Karen Schlaak'.

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2006

NOTICE OF SHUTOFF ORDER

TO: SAM M HOFER
40004 188TH ST
HITCHCOCK SD 57348

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: James River Shutoff Order

Shutoff Order for Water Right No(s). (616-3)

To protect domestic use on the James River, the department is issuing shutoff orders to water right holders on the James River from the Yankton-Hutchinson county line north to the North Dakota border. Effective immediately, no diversions of water from the James River will be allowed. Previous to this Order, shutoff orders were issued for water right junior to January 1, 1975 located upstream of Huron.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. USGS gaging stations over this entire river reach are measuring flow levels at or below 20 cubic feet per second, the required bypass for downstream domestic use. This order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Lynn Beck or Mark Rath with the Water Rights Program at (605) 773-3352. Thank you.

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED
JAN 27 2010
WATER RIGHTS
PROGRAM

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

No. 616-3

Date: _____

I/We request that Water Right No. 616-3

formerly owned by: Sam M Hofer

be transferred to: (name & address) Oscar Inc., % Floyd Peterson, 18892 390th Ave,
Hitchcock SD 57348

Telephone No. 605 266-2747

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

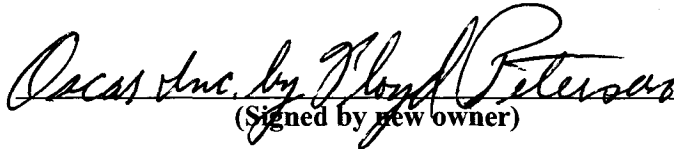
80.4 acres - E ½ NE ¼ Section 28; W ½ NW ¼ Section 27, T114N, R62W

I/We understand that the validity of Water Right No. 616-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/27, 20 10

RECEIVED OF Oscar Inc 18892 380th Ave Hitchcock SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>616-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04420

By

Edward E. Eide
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 29, 2010

616-3

Floyd Peterson
Oscar Inc
18892 390th Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Thank you for following up on the ownership change for Water Right No. 616-3. The transfer has been completed. The water right formerly listed in the name of Sam M Hofer is now listed in the name of Oscar Inc.

Enclosed is your Receipt No. 04420 in the amount of \$50.00.

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 21, 2010

Floyd Peterson
209 27th St NW
Huron SD 57350-5010

RE: Water Right or Permit Nos. 616-3, 1509-3, 3255-3, 4612A-3, 5601-3 6182-3, 6183-3,
6196-3, 6200-3, 6231-3, 6312A-3, 6332-3, 6400-3, 6655-3, 6711A-3, 6331A-3, 7125-3
& 7183-3

Dear Oscar:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaires.

The notice was originally mailed to 18892 30th Ave, Hitchcock SD. The post office notified us that your address has changed and I will update our records accordingly.

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

enclosures



616-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

SEP 11 2013

616-3
7183-3

Floyd Peterson
Oscar Inc
209 27th St NW
Huron SD 57350 5010

Dear Mr. Peterson:

Enclosed is Water License No. 7183-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

On the water license, please note the qualifications that are listed. When Water Permit No. 7183-3 was originally issued, it contained qualifications relevant to both Water Right No. 616-3 and Water Permit No. 7183-3. The legal descriptions described in the qualifications were inadvertently listed as Section 24, T113N, R62W. These descriptions were corrected during the licensing process as being in Section 27, T114N, R62W.

Upon licensing, the applicable portions of Water Right No. 616-3 were incorporated into No. 7183-3. 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures