

Water Right No. 1681-2

To Be Considered Sept. 27, 1979

COUNTY TODD about 2 1/2 miles

South of Todd

APPLICATION Name HARVEY E. JAY GUININK Address COOKSTON, MN

Priority Date Received AUG. 1, 1979 Application Complete yes no X

Date Returned or additional information or fee requested AUG 1 1979

Remarks Applied August 1st 1979 for water right

Date information and/or fee or corrected Application received August 14 1979

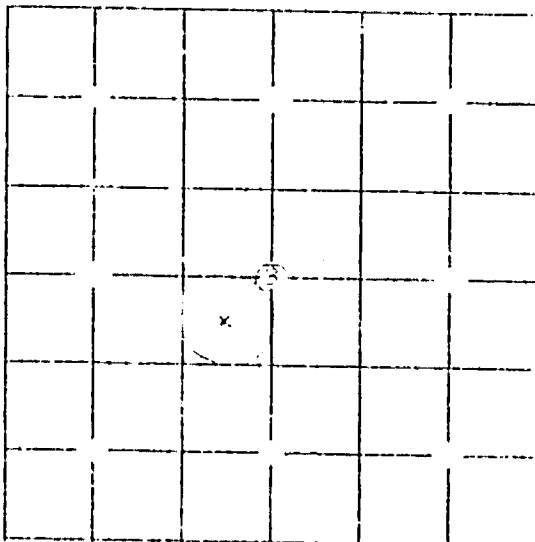
Source ANY ONE WELL

Use IRRIGATION Acres 120

Amount c.f.s. 1.72 (300 GPM) Maximum acre feet allowed

FEE Amount 250.00

Diversion Location APPROX CENTER, SW 4 - 3 - 36 - 29



Land to be Irrigated SW 4 3 36-29

Period of annual use same as above

MAP Type of Map Original Prepared by ASCS

Map No. Map located in W/R X Map file

WELL LOG Received yes X no Date of request

Remarks not log sent 5th Sept 1979 to be drilled

Date Returned

Driller Licensed in SD yes X no

Depth and Formation 233' Augment -

OTHER
INFORMATION
FILED WITH
WATER RIGHT

WATER
QUALITY

Date Received 9-7-79 Approved Conditional (Circle one)
Disapproved _____
Date _____ Reason _____

Date Disapproved _____
Application returned _____

WI-1 Land
Description - same as Application - yes X no _____ Remarks _____

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board

on 9-27-79

B. Westlund
(Signed)

This Application was unable to be completed - Reason _____

PUBLICATION

1st Received _____ Date Affidavit Received 9-17-79

Paper Todd Co. Publishers - Edwin T. Todd, Mission, S.D.

PROTESTS

Letters/Petitions in File - yes _____ no _____ Remarks _____

STAFF RECOM
MENDATIONS

BOARD
ACTION

Date Approved 9-27-79 Qualifications Will Interference

Deferred - Date _____ Reason _____

Denied - Date _____ Reason _____

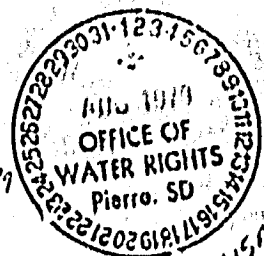
REMARKS
F.F. & C. OF
LAW, FINAL
DECISIONS,
ETC.

Date _____
Final Decision, including F.F. & C. of Law was adopted _____
Date _____
Final Decision mailed to parties &/or parties notified that Final Decision
was adopted _____

Remarks _____

No. 1681-2Map No. 1441-2, Water Division No. 2 KEYAPAPA RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant HARVEY & JAY GUNNINK
 Postoffice address CROCKSTON, State NEBR.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work GUNNINK IRRIGATION PROJECT
4. Amount of water claimed (cubic feet per second) 800 gpm (1.78 CFS)
5. Source of water supply Well
6. Location of point of diversion CENTER of Sec 3-36-29
Center of SW 1/4 of SW 1/4 Sec 3-36-29
 County Todd
7. Annual period or periods during which water is to be used June Thru Sept
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
9. For irrigation use, Total number of acres to be irrigated 130 A.

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE 1/4 SW 1/4 - 36-29	32.5	SW 1/4	
NE 1/4 SW 1/4 - 3-36-29	32.5		
SE 1/4 SW 1/4 - 3-36-29	32.5		
SW 1/4 SW 1/4 3-36-29	32.5		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 Year years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd County Tribune
Missouri, Mo.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Well

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Pivot CenterEstimated Total Cost \$ 42,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of ToddI, Harvey Gunnink, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Harvey GunninkSubscribed and sworn to before me this 31st day of July, 1979

Notary Public (or other qualified officer)

2-18-85

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1681-2HARVEY & JAY GUNNICK
(Applicant)CROOKSTON
(Post Office Address)NEBRASKA 69212 With the following modifications:
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application AUGUST 1, 1979
 Date of return to applicant for correction, amendments or changes required AUGUST 1, 1979
 Date of receipt of corrected application SEPTEMBER 7, 1979
 Approved SEPTEMBER 27, 1979, Recorded in Book 21 Page 45

WATER RIGHT PERMIT NO. 1681-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1681-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 1, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 27, 1980
3. The whole of said work is to be completed on or before SEPTEMBER 27, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 27, 1980
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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 may not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.78 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 SEPTEMBER 27, 1980; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 2RD day of OCTOBER, 1979

WATER RIGHTS COMMISSION

By:

John H. Hallett
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

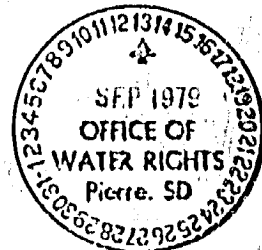
Sargent Irrigation Company
TEST LOG

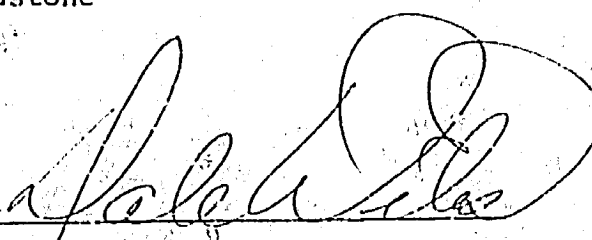
June 5, 1979

Harvey Gunnink
Crookston, Nebraska

0-15	top soil & sand, sandstone & limestone
15-30	sand & sandstone (pull down)
30-35	sand & sandstone top
35-55	fine to med sand
55-60	sandstone, clay streak
60-70	fine to med sand
70-75	sandstone layers & streak of limestone
75-80	fine to med sand
80-90	sandstone layers
90-98	med sand
98-105	sandstone layers
105-115	fine to med sand
115-120	sandstone layers & clay streak
120-130	clay layer
130-135	fine to med sand
135-149	med to coarse sand
149-150	trace of sandstone
150-163	med sand
163-165	sandstone, clay streak
165-177	med to coarse sand
177-180	sandstone, streak clay
180-195	fine to med sand & trace of sandstone
195-207	med to coarse sand & trace of sandstone
207-210	clay layer
210-222	med to coarse sand & sandstone
222-225	clay layer
225-240	clay & red rock
240-255	red rock

W.L. - 40 ft.




Dale Wiles
Branch Manager - Bassett Office

COMMISSION

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

RECEIVED

AUG 14 1979

South Dakota
Division of Conservation

OWNERS NAME: Harvey L. Brown OWNERS ADDRESS: 1212 1st St. Pierre, SD

COUNTY LAND LOCATED IN: Deuel PHONE: 822-3344

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: Center of Sec 3 - 36 29

2. SURFACE WATER SOURCE: _____

3. LOCATION OF AREA TO BE IRRIGATED: Sec 3 - 36 29

4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____

6. CROPS TO BE IRRIGATED Corn

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: None

LAND: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: 17-11

9. SALINITY (EC X 10⁶) 1.1

10. SODIUM (SAR) 1.1 ADJUSTED (SAR) 1.1

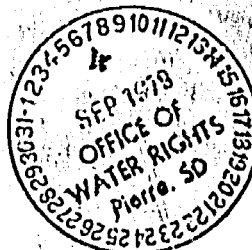
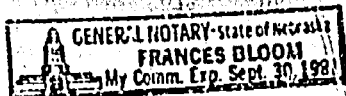
I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 9 A.M./P.M., on July 30, 1979, at the following location: Sec 3 - 36 29 by Harvey L. Brown (Individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Deuel Co. Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
30 DAY OF July, 1979.

(NOTARY PUBLIC)



APPLICANT'S SIGNATURE

Director, Division of Conservation

☒ APPROVED

☐ DISAPPROVED

☐ CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

All cases a WATER RIGHT must be obtained from the State Water Rights Commission.

APPROVED

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Harvey & Jay Annick, Crookston, Nebraska

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☐ Yes ☐ No Surface drainage suggested on _____
4. ☐ Yes ☐ No Subsurface drainage suggested on _____
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoil)

COMMENTS:

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application pivot

GENERAL COMMENTS:

All your soils are sandy with rapid permeability. They will require frequent irrigations, especially in hot, dry years. With ample well capacity, you will be able to keep corn from stressing; otherwise, you may want to use more than one crop to make most efficient use of your water.

Copy to applicant
Copy to Water Rights
Copy on file

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007



Submitted by: Harvey & Jay Gunnink
 Address: Brookston, NE 69212

Date Rec'd: August 2, 1979
 Sample No: 79-519
 Identification: Well-
BTI, Dec. 3, T. 36N, R. 29W

WATER ANALYSIS

Calcium (Ca)	56	ppm*	2.80	me/l**
Magnesium (Mg)	7	ppm	0.55	me/l
Sodium (Na)	7	ppm	0.32	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	1	ppm	0.03	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	190	ppm	3.12	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	156	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	342	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.25	Adjusted SAR	0.49	
Sodium	8.35	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.92			

Others:

*ppm==parts per million

**me/l==miliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 3.83 me/l
 Total anions 3.23 me/l

By: Shirley Mattan

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 79-519

Amount Enclosed \$

Signed

TEST LOG

June 5, 1979

Harvey Gunnink
Crookston, Nebraska

0-15	top soil & sand, sandstone & limestone
15-30	sand & sandstone (pull down)
30-35	sand & sandstone top
35-55	fine to med sand
55-60	sandstone, clay streak
60-70	fine to med sand
70-75	sandstone layers & streak of limestone
75-80	fine to med sand
80-90	sandstone layers
90-98	med sand
98-105	sandstone layers
105-115	fine to med sand
115-120	sandstone layers & clay streak
120-130	clay layer
130-135	fine to med sand
135-149	med to coarse sand
149-150	trace of sandstone
150-163	red sand
163-165	sandstone, clay streak
165-177	med to coarse sand
177-180	sandstone, streak clay
180-195	fine to med sand & trace of sandstone
195-207	med to coarse sand & trace of sandstone
207-210	clay layer
210-222	med to coarse sand & sandstone
222-225	clay layer
225-240	clay & red rock
240-255	red rock

W.B. - 40 ft.

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 3 1/2, Depth 225 ft.
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 16" Thickness
- (3) Perforated Screen.
Type Steel, Diameter 16", Length 186
- (4) Gravel Pack, Thickness 50 to 100, Length of gravel pack 225 ft.

E. Dugout Information or Estimates.

- (1) Surface dimensions , Depth

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials

Depth to top of water bearing material

Depth to bottom of water bearing material

Thickness of water bearing material

Depth to water (ground surface to water level)

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 1200 fts. On property owned by others 240 fts.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Harold K. Kinnick
Signature of Applicant

RECEIPT

WATER RIGHTS COMMISSION

N2 4 6982

State of South Dakota

August 1

79

PIERRE,

19

RECEIVED OF Harvey Gunnink, Brookston, Nebraska 69212

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

Fee for Application for Permit to Appropriate Water No. 1221-2 (examination, processing, recording and filing)	250	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By *John H. Davis*
 Chief Engineer, Executive Officer
 JOHN DAVIS RW

No. 1031-2

Publish first publication, on or before Sept. 13, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

Sept. 7, 1979

Notice is hereby given that Harvey and Jay Gunnink whose post office address is Crookston, NE, ~~South Dakota~~, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14, 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.78 cubic feet of water per second of time from ground water (one well) through the Gunnink Irrigation Project, the point(s) of diversion which is (as) to be located in the center of SW1

of Section 3, Twp. 38 N, Range 23 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW1, Section 3 - T38N - R23W

This Application No. 1031-2 will be considered by the Water Management Board at Community Room, City Hall,
222 East Dakota, Pierre, SD upon the 27th day of September

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND

Water Rights Specialist

cc: Harvey and Jay Gunnink
Crookston, NE

Form 8 Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Poebel) ss.

I, Lennette Gran hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Poebel County Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Mission

County of Poebel and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

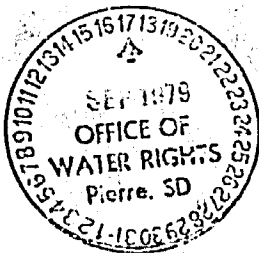
September 13, 1979

September 20, 1979

Lennette Gran
(Signature)

Billing Clerk
(Title)

September 13, 1979
(Date Signed)



Notice of Intent to
Appropriate Water

Notice is hereby given that
Harvey and Jay Gunnink whose
post office address is Crookston,
NB, has made an application in
accordance with the provisions
of SDCL 46-1-1 thru 46-1-9,
46-1-14, 46-2-9 thru 46-2-11, 46-2-
13, 46-5-1 thru 46-5-8, 46-5-10
thru 46-5-22, 46-5-41, 46-6-3, 46-6-
3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14
and Board Rules ARSD
52:01:01:01 thru 52:01:01:13 for
a permit to appropriate for
beneficial use 1.78 cubic feet of
water per second of time from
ground water (one well) through
the Gunnink Irrigation Project,
the point of diversion of which is
to be located in the center of
SW 1/4 of Section 3, Twp. 36 N,
Range 29 W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land: SW 1/4,
Section 3 - T36N - R29W - S31E

This Application No. 91-2 will
be considered by the Water
Management Board at a Com-
munity Room City Hall, 222 East
Dakota, Pierre, SD upon the 27th
day of September at 10 a.m. The
Board is authorized to make a
determination on this application
at the hearing. All interested
persons may appear and be
heard. Any person who may be
affected by a Board decision who
desires to present evidence or
cross-examine witnesses accord-
ing to SDCL 1-26 may notify the
Board in writing prior to the
hearing or orally at the hearing.

This hearing is an adversary
proceeding. Any person 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 at the hearing. Deci-
sions of the Board may be
appealed to the Courts as provid-
ed by law.

Water Management
Board
Betty Westlund
Water Rights
Specialist

Publ. Sec. 15 and 20, 1979.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1681-2

March 15, 1985

Harvey & Jay Gunnick
Crookston,
Nebraska 69212



Dear Sirs:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1681-2, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Administrative Aide

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

DWNR-R14 8/83

State of South Dakota
Water License No. 1681-2

(1) Harvey and Jay Gunnick
of RR#1, Box 22, Crookston, NE 69212
made Application No. 1681-2, August 1, 1979 for a water permit to appropriate
1.78 cubic feet per second of water from groundwater (one well)
Todd County, South Dakota for Irrigation purposes.
Per mit No. 1681-2 with a priority date of August 1, 1979
was approved September 27, 1979 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 27, 1980 and for the application to beneficial use of said
water on or before September 27, 1980.

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 1.78 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1867'N and 45°E of the SW Corner,
Section 3, T36N, R29W

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 Section 3, T36N,

R29W

NE 1/4 SW 1/4 32 Acres (CA)

NW 1/4 SW 1/4 32 Acres (CB)

SW 1/4 SW 1/4 32 Acres (CC)

S 1/4 SW 1/4 32 Acres (CD)

TOTAL 128 ACRES

(4) Pursuant to §46-5-30.1 Harvey and Jay Gunlick

of RR#1, Box 22, Crookston, NE 69212

the holder(s) and/or owner(s) of Water Permit No. 1681-2 is/are to appropriate water, the right to use 1.78 cubic feet per second of water from groundwater (aquifer, one well) with a priority date of August 1, 1979 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 Permit No. 1681-2 and subject to South Dakota State Law.

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

JOHN HATCH

APR 23 1985

Permit No. 1681-2

Water District

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

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

I have this day made a thorough examination of the water use system constructed by Harvey
Jay Gumbanks of Crookston NE 67212 holder of
 Permit No. 1681-2, bearing the priority of August 1 19 79 authorizing
 the diversion of 1.78 cu. ft. per second of the waters of groundwater (Ogallala)
 for irrigation purposes, in Todd County.

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

A. Works used to divert the water: The well has a diameter of 16", steel casing, and a depth of 220'. The pump is made by Sargent, has 3 stages and a capacity of 800 GPM. The motor is a U.S. High Thrust with a 75 HP rating.

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

An aluminum pipeline with a 6" diameter transports water 50 feet to the center pivot.

C. Works used to apply water to beneficial use:

The water is applied with a Valley CP having 7 towers spanning 170 feet between towers, low pressure operation at 40 psi and capacity of 800 GPM.

The system is in the following condition Good

The point of diversion is located 1867 ft N and 95° E of the SW corner
of section 3, T36N, R29W
B.M.

The works are capable of diverting and conveying to the place of use 1.8cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: NE1SW13 - 32 Ac,NW1SW13 - 32 Ac, SW1SW13 - 32 Ac, SE1SW13 - 32 Acall of T36N R29Wcomprising a total of 128 acres of land and the license should be issued for 1.78 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No1.78 max. allowable
(B.M.)Exceptions to compliance are: _____ Date 3-13-85

Frank Smith
 (signature)

Inspected By: Frank Smith

LICENSE FOR PERMIT NUMBER 1681-2 Harvey Gunnink

1. Legal location of wells: center SW⁴3-36-29

dams & structures: _____

2. Well Information: Well Drilling Firm Sargent

No. of wells 1 Depth 225'

Casing a) diameter 1 1/2" Screener a) type Pertorated
b) length 70' b) length 155'
c) type Steel Static Water Level 43'

Pump a) make Sargent Motor a) make U.S. High Thrust
b) model B16-0800-106 b) model no. R6326-09-722 R2131706 H
c) size 12 SA c) horsepower rating 75
d) capacity 800 GPH d) motor efficiency rating _____
e) turbine pump
no. of stages 3

3. Distribution lines:

a) size of lines 6"
b) type Aluminum
c) length 50'

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make Valley
- 2) number of towers 7
- 3) distance between towers
170
- 4) overall length 1210
- 5) End gun (Y/N) yes
- 6) high or low pressure Low
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 40
- 9) GPM 800

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

- | | | |
|----------|-------|---|
| <u>✓</u> | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>✓</u> | _____ | 2. Special Qualifications to permit being abided by. |
| <u>✓</u> | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

Acres Irrigated: $NE^4 SW^4: 32.1$
 $NW^4 SW^4: 31.7$
 $SW^4 SW^4: 31.7$
 $SE^4 SW^4: 32.1$
127.6

RECEIPT

Division of Water Rights

No 4 9980

South Dakota Department of Water and Natural Resources

Pierre, March 25, 19 85

RECEIVED OF Harvey & Jay Gunnick, Rt#1, Box 22, Crookston, NE 69212

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 1681-2	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer JOHN HATCH

No. 1681-2

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

APR 23 1985

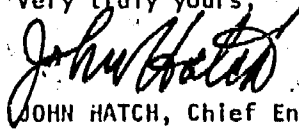
Harvey & Jay Gunnick
Route #1, Box 22
Crookston, Nebraska 69212

Dear Sirs:

Enclosed herewith is, Water License No. 1681-2. 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, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

WNR-817 3/83
Transmittal of Water License

L

1681-2

Harvey Sumner 3 miles

Harvey Gay Sumner 10000

These should all 3 be
listed as Sumner Farm Inc.

HC 75 Box 22

Lebanon, N.H.

69212

Harvey Sumner

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1860-2 & 1681-2

December 17, 1985

Gunnick Farm Inc.
HC 78, Box 22
Crookston NE 69212

Dear Sirs:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50. (\$5.00 total for the two permits)

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

Karen Schlaak

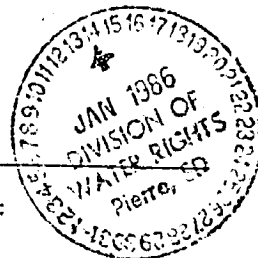
KAREN SCHLAACK
Administrative Aide

NO. 1681-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____



This is to notify you that the title to the lands described as follows:
128 acres - SW 1/4 Section 3, T36N, R29W

formerly owned by Harvey & Jay Gunnick

has been transferred to Gunnick Farm, Inc., HC 78, Box 22, Crookston NE 69212

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1681-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Toll) ss.

I, Harvey Gunnick 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 I know of my own personal knowledge that the information herein stated is true.

Harvey Gunnick
(Signed)

Subscribed and sworn to before me this 13th Day of January, 1986.

Monte H. Hargrave
(Notary Public)

RECEIPT

Division of Water Rights

No 4 10290

South Dakota Department of Water and Natural Resources

Pierre, January 14, 1980, 19

RECEIVED OF Gunnink Farm Inc., (Harry Gunnink) HC 78, Box 22, Crookston, NE 69212
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1681-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

JOHN HATCH/RS



**Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

No. (1681-2)
1860-2

January 14, 1986

Gunnink Farms, Inc.
HC 78 Box 22
Crookston, Nebraska 69212

Dear Sirs:

Enclosed is receipt Nos. 10289 & 10290 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1860-2 and 1681-2.

Our records now show ^{Gunnink Farms Inc.} ~~you~~ as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

msf
Enc. 2

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

GUNNICK FARM INC
HC 78 BOX 22
CROOKSTON, NE 69212

NOTICE

Re: Violation of Water Permit No(s). 1860-2 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1860-2. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1860-2 qualification:

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

The hearing will also be to determine if Permit No(s) 1681-2 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

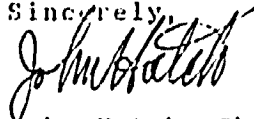
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 1860-2 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 1681-2 also held by GUNNICK FARM INC to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

Sincerely,



John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

South Dakota
Department of
Water & Natural Resources

Jon Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

February 9, 1988

1681-2
1860-2

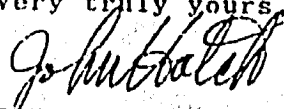
Gunnick Farm, Inc.
HC 78, Box 22
Crookston NE 69212

Dear Sir:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1681-2 & 1860-2 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

1681-2

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-0181

February 9, 1990

HARVEY GUNNICK
GUNNINK FARM INC
HC 78 BOX 22
CROOKSTON, NE 69212

NOTICE

RE: Violation of Water Permit No(s). 1860-2 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1860-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1860-2 qualification:
"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No. 1681-2 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

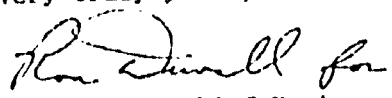
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1860-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 1681-2 also held by GUNNINK FARM INC to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaires are received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


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

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

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

February 23, 1990

1681-2
1860-2

Gunnink Farm
Harvey Gunnink
HC 78, Box 22
Crookston NE 69212

Dear Mr. Gunnink:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 1681-2 and 1860-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall /ks

RON DUVAL
Natural Resources Engineer
Water Rights Division



January 29, 1993

NOTICE

1681-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: GUNNICK FARM INC
HC 78 BOX 22
CROOKSTON NE 69212

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

RE: Violation of Water Permit No(s) 1681-2, 1860-2 and 1992 Irrigation Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1681-2, 1860-2. The request for the Questionnaires 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, at 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. 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) 1860-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. 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 questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

1681-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 1993

1681-2
1860-2

Gunnick Farm Inc
HC 78 Box 22
Crookston, NE 69212

Dear Sirs:

I am writing to acknowledge receipt of your 1992 Irrigation Questionnaires for Water Permit Nos. 1681-2 and 1860-2. You may disregard the Notice of Violation of Water Permit and 1992 Irrigation Questionnaire Requirements.

The questionnaires were received in our office prior to the March Water Management Board Meeting and your name has been deleted from the agenda. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



1681-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

GUNNICK FARM INC
HARVEY GUNNICK
HC 78 BOX 22
CROOKSTON NE 69212

NOTICE

RE: Violation of Water Permit No(s) 1681-2, 1860-2 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 1681-2, 1860-2. The request for the Questionnaires was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1860-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

Very truly yours,

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



1681-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 1995

1681-2
1860-2

Harvey Gunnick
Gunnick Farm Inc.
HC 78 Box 22
Crookston, NE 69212

Dear Mr. Gunnick:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of Water Permit Nos. 1681-2 & 1860-2 and the 1994 Irrigation Questionnaire Requirements.

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

If you have any questions, please contact me.

Sincerely,

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

1681-2



January 9, 1998

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

NOTICE

TO: GUNNINK FARM INC, HARVEY GUNNINK, HC 78 BOX 22, CROOKSTON, NE 69212
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 1860-2, 1681-2. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to two 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) 1860-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

1681-2
GUNNINK FARM INC
HARVEY GUNNINK
HC 78 BOX 22
CROOKSTON NE 69212

4a. Article Number

2179157144

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

Harvey Gunnink

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

Thank you for using Return Receipt Service.

1681-2



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

January 22, 1998

1681-2
1860-2

Harvey Gunnink
Gunnink Farm Inc
HC 78 Box 22
Crookston, NE 69212

Dear Mr. Gunnink:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1681-2 and 1860-2.

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



1681-2
**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: GUNNINK FARM INC, HARVEY GUNNINK, HC 78 BOX 22, CROOKSTON, NE 69212

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 1860-2 and 1681-2. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No. 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No. 1860-2 qualification:

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

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

1. Suspend or cancel Permit No. 1860-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2001

1681-2
1860-2

Harvey Gunnink
Gunnink Farm Inc
HC 78 Box 22
Crookston, NE 69212

Dear Mr. Gunnink:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 1681-2 and 1860-2.

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



1681-2

**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: GUNNINK FARM INC, HARVEY GUNNINK, HC 78 BOX 22, CROOKSTON, NE 69212

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 1860-2, 1681-2. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2 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) 1860-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



1681-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2004

1681-2
1860-2

Harvey Gunnink
Gunnink Farm Inc
HC 78 Box 22
Crookston NE 69212

Dear Sir:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 1681-2 and 1860-2.

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

NOT TO SCALE

69.6

79.3

44.3

37.29

122-6

3 9.9

48.8

15.3

607

128.0

32 Ac

32 Ac

32 Ac

32 Ac

36.29

122-6

130.4

35.0

Appl # 1681-2

HARVEY
GUNNINK

SAM
CORNISH

NOT TO SCALE

GLEN
LIP

37-29

122-4



3629

130.4

126-4

35.0

MAP

1681-2

NOT TO SCALE

612-N
L.A. 3-11

37-29

122-4

I certify that this is a photocopy made from the aerial photograph of Sec 3- Twp 36 - Range 29 in Todd County, South Dakota.

8-13-79
(Date)

(Date)

North Dakota.
Donald Bristow

Joseph D Bristow
County Executive Director
Todd County ASCS Office

2
tor
e
51.2

HARVEY
GUNNICK

32.5 Acres

38.5 ACRES

32.5 ACRES

32.5 Acres

3629

122-6

130.4

35.0

mar

~~Not in index~~

8-10-17

1681-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: GUNNINK FARM INC, HARVEY GUNNINK, HC 78 BOX 22, CROOKSTON, NE 69212

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2, 2569-2, 2570-2 & 2571-2 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1860-2, 2569-2, 2570-2 & 2571-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2011

Harvey Gunnink
Gunnink Farm Inc
HC 78 Box 22
Crookston NE 69212

RE: Water Permit or Right Nos. 1681-2, 1860-2, 2569-2, 2570-2, 2571-2

Dear Mr. Gunnink:

I am writing to acknowledge receipt of your 2010 irrigation questionnaires.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1681-2, 1860-2, 2569-2, 2570-2 and 2571-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



1681-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: GUNNINK FARM INC, HARVEY GUNNINK, 29712 270th AVE, CROOKSTON, NE 69212

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2, 2569A-2, 2570-2, 2571-2 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 1860-2, 2569A-2, 2570-2, 2571-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:
<http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2012

Harvey Gunnink
Gunnink Farm Inc
29712 270th Ave
Crookston NE 69212

RE: Water Right or Permit Nos. 1681-2, 1860-2, 2569A-2, 2570-2 and 2571-2

Dear Mr. Gunnink:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires. The forms arrived the morning after the notice of hearing was sent out.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right or Permit Nos. 1681-2, 1860-2, 2569A-2, 2570-2 and 2571-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 22, 2013

Gunnink Farm Inc
26861 296th St
Crookston NE 69212 7025

RE: Water Permit or Water Right Nos. 1681-2, 1860-2, 2569A-2, 2570-2 and 2571-2

Dear Mr. Gunnink:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaires for Water Permit or Water Right Nos. 1681-2, 1860-2, 2569A-2, 2570-2 and 2571-2.

The notice was originally mailed to 29712 270th Ave, Crookston NE. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

1681-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 15, 2013

Jay Gunnink
26861 296th St
Crookston NE 69212

RE: Water Right or Permit Nos. 1681-2, 1860-2, 2569A-2, 2570-2, 2571-2

Dear Mr. Gunnink:

Thank you for the prompt return of the 2013 irrigation questionnaires. It is my understanding from the notation you made on the forms that ownership changes are needed.

Water Right Nos. 1681-2 and 1860-2 are listed in the name of Gunnink Farm Inc. The other three are listed under Harvey F Gunnink. If your intent is to have them all listed under Gunnink Farm Inc., you do not need to file ownership changes on Nos. 1681-2 & 1860-2.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each. The check or money order for the fee can be made payable to the Water Rights Program.

I have included copies of all the water permits and rights in the event you do not have them. If I can answer any questions for you, please give me a call.

Sincerely,

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

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

enclosures

1681-2

Enclosed are the water rights
that need to be transferred.

The other 2 - 1681-2 and 1860-2
will remain in Gannink Farm Inc.

Thank you
Jay Gannink

RECEIVED

DEC - 9 2013

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 2013

Jay Gunnink
26861 296th St
Crookston NE 69212

RE: Water Right or Permit Nos. 1681-2, 1860-2, 2569A-2, 2570-2, 2571-2

Dear Mr. Gunnink:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 2570-2 and 2571-2 and Water Permit No. 2569A-2.

The ownership changes have been completed. Nos. 2570-2, 2571-2 and 2569A-2, formerly held by Harvey F Gunnink, are now listed under "Jay and Malinda Gunnink". As you requested, Water Right Nos. 1681-2 and 1860-2 listed in the name of Gunnink Farm Inc. will remain in that name.

Enclosed for your records are Receipt Nos. 06513, 06514 and 06515 in the amount of \$50 each which you paid for filing the ownership changes. If you have any questions, please contact me.

Sincerely,

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

enclosures

1681-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: GUNNINK FARM INC, JAY GUNNINK, 26861 296TH ST, CROOKSTON, NE 69212 7025

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1681-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1860-2, 2570-2, 2571-2 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1860-2, 2570-2, 2571-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1681-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: RMYCGL**

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.

1681-2



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

February 1, 2022

Jay & Malinda Gunnink
Gunnink Farm Inc
26861 296th St
Crookston NE 69212 7025

RE: Irrigation Questionnaires for Water Right Nos. 1681-2, 1860-2, 2570-2, 2571-2

Dear Mr. & Mrs. Gunnink:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 1681-2, 1860-2, 2570-2 and 2571-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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