

WATER PERMIT NO. 2432-2

Name of Applicant: Marin J Vanderploeg

Address: PO Box 188, Tuthill SD 57574

Phone: 605 685-1199

Amount of Water Claimed: 32 acre-feet

Total Acres: NA

Source of Water Supply: Little White River

Water to be used for: fish & wildlife propagation

County: Bennett

Type of Waste Disposal System: NA

Location: 1 mile west of Tuthill

PRIORITY Date Received: 11-15-1999

Fee: \$150

Corrected Application Received: 11-22-1999

Period of Annual Use: January 1 – December 31

Remarks: fill 4 oxbows

Diversion Points: E ½ SE ¼ Sec 24-T37N-R36W
and S ½ SW ¼ Sec 19-T37N-R35W

Land to be Irrigated: NA

Depth of Well: NA

Well Driller:

Remarks:

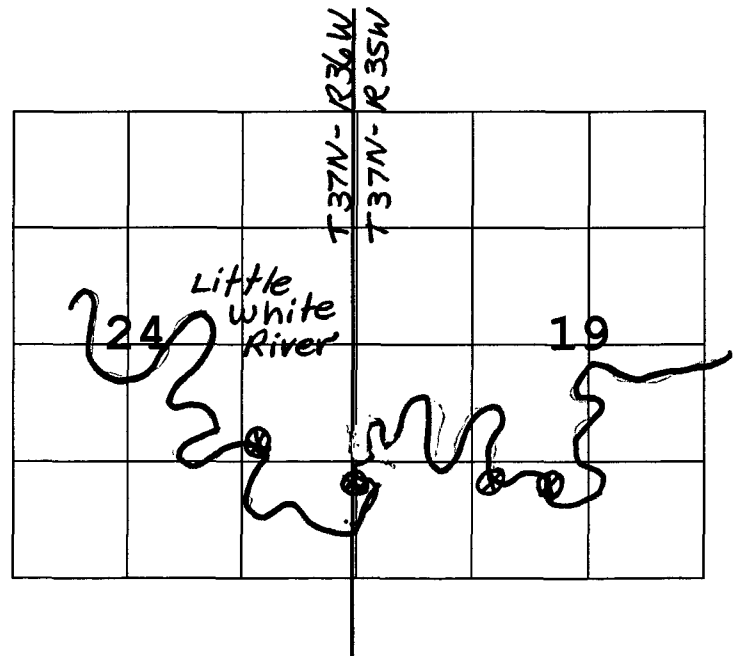
Type of Map: aerial photo

Prepared by: Diane Gronlund, NRCS

Reviewed and the Number Assigned on: 11-22-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2432-2</u>	(office use only) Hydrologic Unit <u>10140203</u>
	Basin <u>White River</u>	
	Newspaper <u>Bennett Co. Booster II, Martin, SD</u>	



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☒ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other	

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

- Name of Applicant Martin J. Vanderploeg Phone 605-685-1199
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address P. O. Box 188 Tuthill State SD 57574
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 200 *CFS or 32 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Little White River
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Four locations on the
Little White River (see attached map) E 1/2 SE 1/4 sec. 24-T37N-R36W and
S 1/2 SW 1/4 sec. 19-T37N-R35W County _____
- County or counties where water will be used Bennett
- Annual period during which water is to be used Oct. 1 - Dec 15
~~Oct 1 through Dec 15~~
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Iowa
STATE OF ~~SOUTH DAKOTA~~ SS
County of Story

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

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

Signed M Vanderploeg

Subscribed and sworn to before me this 4th day of November 1999



ALLIS PETERS
MY COMMISSION EXPIRES
July 30, 2000

Allis Peters
Notary Public

SOUTH DAKOTA
WATER PERMIT NO. 2432-2

Date of first receipt of application November 15, 1999.

Date of return to applicant for corrections, amendments or changes November 15, 1999.

Date of receipt of corrected application November 22, 1999.

The Water Management Board approved Water Permit Application No. 2432-2 on March 1, 2000 for Martin J Vanderploeg, PO Box 188, Tuthill SD 57574 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2432-2 appropriates 0.45 cubic feet of water per second (200 gallons per minute) from the Little White River to fill four oxbows with water each fall. The permit authorizes diversions from the Little White River and impoundment of up to 32 acre-feet of water in four oxbows located in the E ½ SE ¼ Section 24-T37N-R36W and the S ½ SW ¼ Section 19-T37N-R35W.
2. The water appropriated shall be used for the purpose of supplying water for fish and wildlife propagation and may not exceed the amount of water needed for beneficial use .
3. The water is to be used during the following described annual period: October 1 – December 15.
4. The date from which applicant may claim right is November 15, 1999.
5. One-fifth of the construction is to be completed on or before September 1, 2002.
6. All construction is to be completed on or before March 1, 2005.
7. Water is to be put to beneficial use on or before March 1, 2009.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

Permit No. 2432-2 authorizes diversion of water from the Little White River during the period October 1st through December 15th of each calendar year. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 10 2000

date



Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

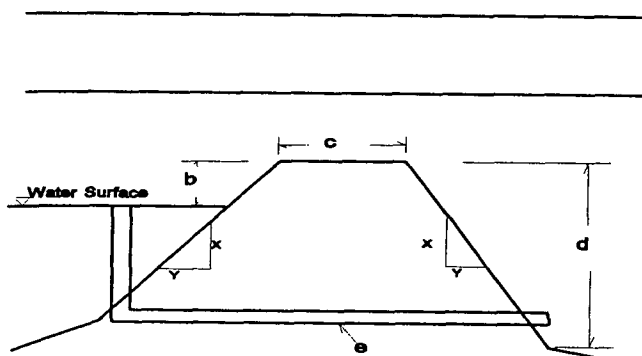
3. Dugout Information

- a) Surface Dimensions 4 oxbows @ 1.2 acres Depth 3 ft. avg. depth
- b) Depth to water (ground surface to water level) 8 ft. above river level

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Description of proposed project

The goal of the proposed project is to flood an oxbow of the Little White River to provide fish and wildlife habitat. The oxbow currently has no flow from the Little White River, and fills with water only during high flow periods of the Little White River.

This project will build earthen dikes across the ends of the oxbow approximately 30 feet from where the oxbow joins the Little White River. These locations are dry except during high water periods. These dikes will not contact the actual flowing waters of the Little White River and in fact will be at least 30 feet from river.

A control structure will be installed in one of the dikes to provide level control ability for the flooded oxbow. The pond will be filled during high flow periods on the Little White River and through the use of pumps.

Eric -

If you have any
questions about any of
this for Marty
Vanderploeg's property,
please give me a call -
515-296-6691 -

Leanne.





November 15, 1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Leanne Swenson
EAI
2321 N Loop
Ames IA 50010

RE: Martin J Vanderploeg water permit application

Dear Ms. Swenson:

Enclosed is the check for \$275.00. As stated in our phone conversation, the correct application fee is \$150.00 and the water license fee is \$50.00 for a total of **\$200.00**.

Upon receipt of the fee, further processing of the application will continue. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Karen Schlaak
Water Rights Program
605 773-3352

enclosure

*Karen -
thanks for your help
getting this processed - please
call if we need anything
further -
Thanks!
Leanne*

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416272

Pierre, _____ November 22, 1999

RECEIVED OF Marty Vanderploeg, P.O. Box 188, Tuthill, SD 57574
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2432-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2432-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By John H. Hatcher
Chief Engineer

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Quinn A. Shonlund
District Conservationist
USDA-NRCS
Martin, SD

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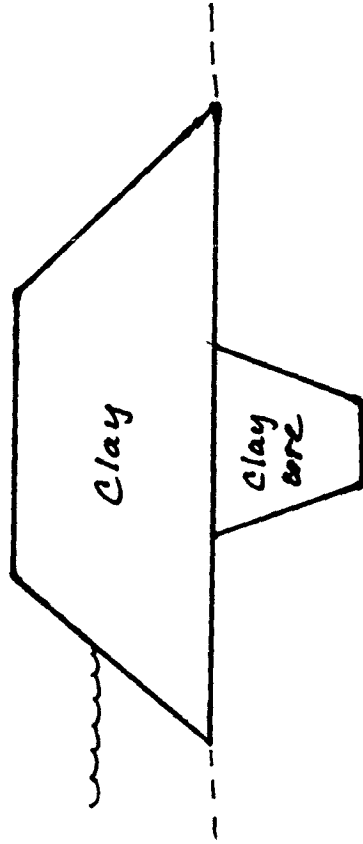
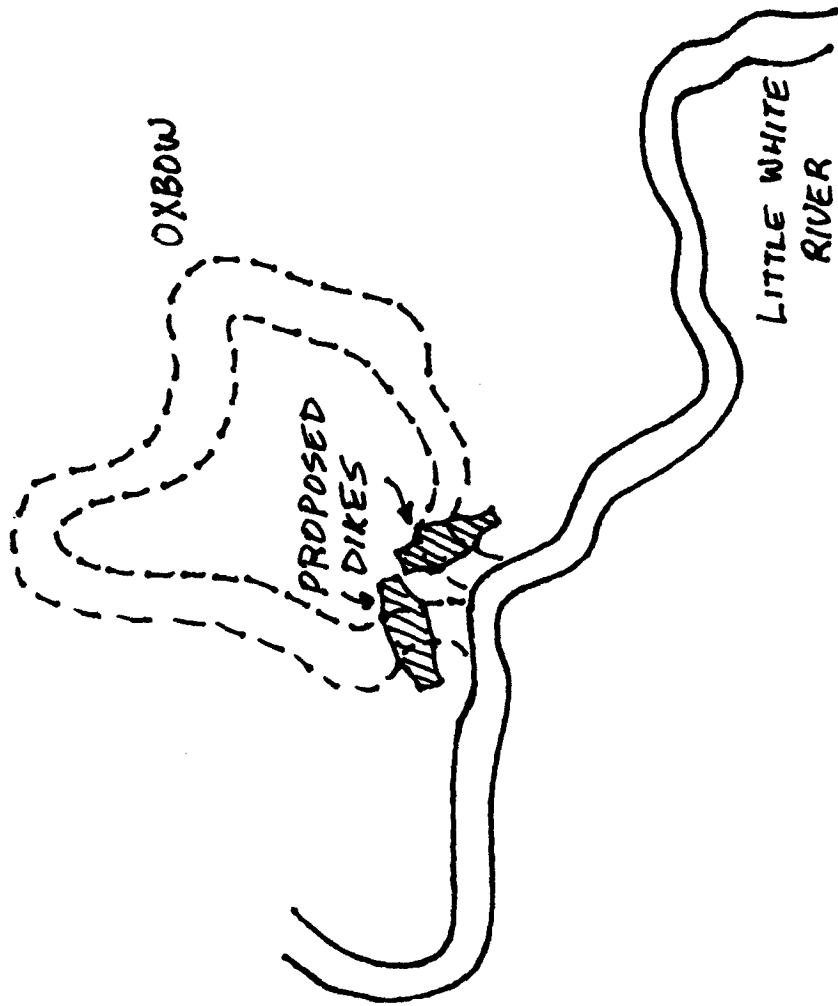
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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2432-2, Martin J. Vanderploeg**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2432-2, Martin J. Vanderploeg, P.O. Box 188, Tuthill SD 57574.

The Chief Engineer is recommending APPROVAL of Application No. 2432-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Permit No. 2432-2 authorizes diversion of water from the Little White River during the period October 1st through December 15th of each calendar year. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



Garland Erbele, Chief Engineer
January 20, 2000

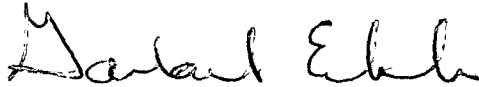
**REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2432-2, Martin J. Vanderploeg**

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2432-2, Martin J. Vanderploeg, P.O. Box 188, Tuthill SD 57574.

The Chief Engineer is recommending APPROVAL of Application No. 2432-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

Permit No. 2432-2 authorizes diversion of water from the Little White River during the period October 1st through December 15th of each calendar year. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.

See report on application for additional information.

A handwritten signature in dark ink, appearing to read "Garland Erbele". The signature is fluid and cursive, with the first name being more prominent.

Garland Erbele, Chief Engineer
February 8, 2000

REPORT ON WATER PERMIT APPLICATION NO. 2432-2

Martin J. Vanderploeg

January 14, 2000

Water Permit Application No. 2432-2, Martin J. Vanderploeg, proposes to appropriate 0.45 cubic feet of water per second (200 gallons per minute) from the Little White River to fill four oxbows with water each fall for fish and wildlife propagation. The total annual volume to be diverted into the four oxbows is 32 acre-feet of water (a.f.) which will require thirty-six (36) days of pumping at the rate of 200 gallons per minute (gpm). Diversions for the proposed project would take place during the period October 1st through December 15th each year. The four oxbows and diversion points are located approximately one mile West of Tuthill, Bennett Co., SD in the E ½ SE ¼ of Section 24, T37N-R36W and S ½ SW ¼ of Section 19, T37N-R35W (Attachments 1 & 2).

Review of Water Source and Existing Water Rights

The water source for the proposed project is the Little White River in Bennett County.

In November 1971 the Water Rights Commission, predecessor to the Water Management Board, placed Application No. 1096-2, Bruce Crosswait, in deferred status due to lack of water availability. Application No. 1096-2 for annual irrigation from April 1st to November 1st was to be located upstream of the U.S. Fish and Wildlife Service's LaCreek National Wildlife Refuge diversion authorized by U.S. Withdrawal 3-2. This application (No. 2432-2, Vanderploeg) is located downstream from the U.S. Withdrawal 3-2 diversion point.

U.S. Withdrawal No. 3-2 authorizes the diversion of all non-appropriated flows of the Little White River into the LaCreek National Wildlife Refuge upstream from the proposed project area. Historically, the service has not diverted all of the non-appropriated flow into the refuge.

The United States Geological Survey (USGS) Little White River Vetol gauging station No. 06449100 located in Bennett County approximately 0.2 mile from the Todd County line (Attachment 2) shows a median flow of 33 cubic feet of water per second (cfs) for the October-December interval from 1959 to 1997. Minimum flow recorded at this gauging station for the same time period is 9 cfs (Attachment 3).

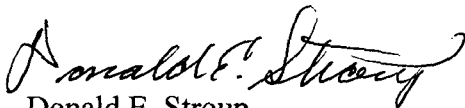
The USGS Little White River gauging station No. 06447500 located approximately five miles East of Martin, Bennett Co., SD (Attachment 2) shows a median flow of 13 cfs for the October-December interval from 1962 to 1997. Minimum flow recorded at this gauging station for the same time period is 2.6 cfs (Attachment 4). This gauging station is located upstream of the Little White River Reservoir, the U.S. Fish and Wildlife Service's LaCreek National Refuge diversion point, and the proposed project area.

The USGS Lake Creek gauging station No. 06449000 located approximately one mile SSE of Tuthill, Bennett Co., SD (Attachment 2) shows a median flow of 4.5 cfs for the October-December interval from 1962 to 1997. Periods of flow have been recorded at this gauging station during the same time period (Attachment 5). This tributary to the Little White River intersects downstream of the proposed project area (Attachment 2).

The majority of licensed and permitted diversions (35.4 cfs total) on the Little White River downstream from the proposed project are for irrigation purposes. The city of White River, SD municipal use withdrawal is allocated from the Little White River Hydroelectric Dam's 240 cfs non-consumptive diversion. The USGS gauging station above Rosebud, Todd Co. shows historical flows with a median of 100, minimum of 20, and maximum of 1300 cfs. The USGS gauging station below White River, Mellette Co. shows historical flows with a median of 95, minimum of 7, and maximum of 7880 cfs. During normal years, there is a reasonable probability that water will be available for this diversion.

Conclusions

1. Water Permit Application No. 2432-2, Martin J. Vanderploeg, proposes to divert 0.45 cfs from the Little White River for fish and wildlife propagation.
2. USGS recorded flows at gauging station No. 06449100 on the Little White River downstream from the proposed project show a historical minimum flow of 9.0 cfs (>90% probability of being equaled or exceeded) during the planned October-December diversion. Two minor streams, Lake Creek and Cedar Creek, feed the Little White River drainage between the proposed project diversion points to this gauging station. It is anticipated that during the fall of the year, the inflow from Lake Creek and Cedar Creek will be minimal. Therefore, flow at this gauging station should be representative of stream flow through the planned project area during the proposed diversion period.
3. Water for this project should be available after the U.S. Fish and Wildlife Service's senior right has been satisfied. Even in periods of drought, downstream water right holders should not be affected by the proposed project since the normal irrigation season should be completed by the proposed October-December diversion period.



Donald E. Stroup
Natural Resources Engineer I

Reviewed by:



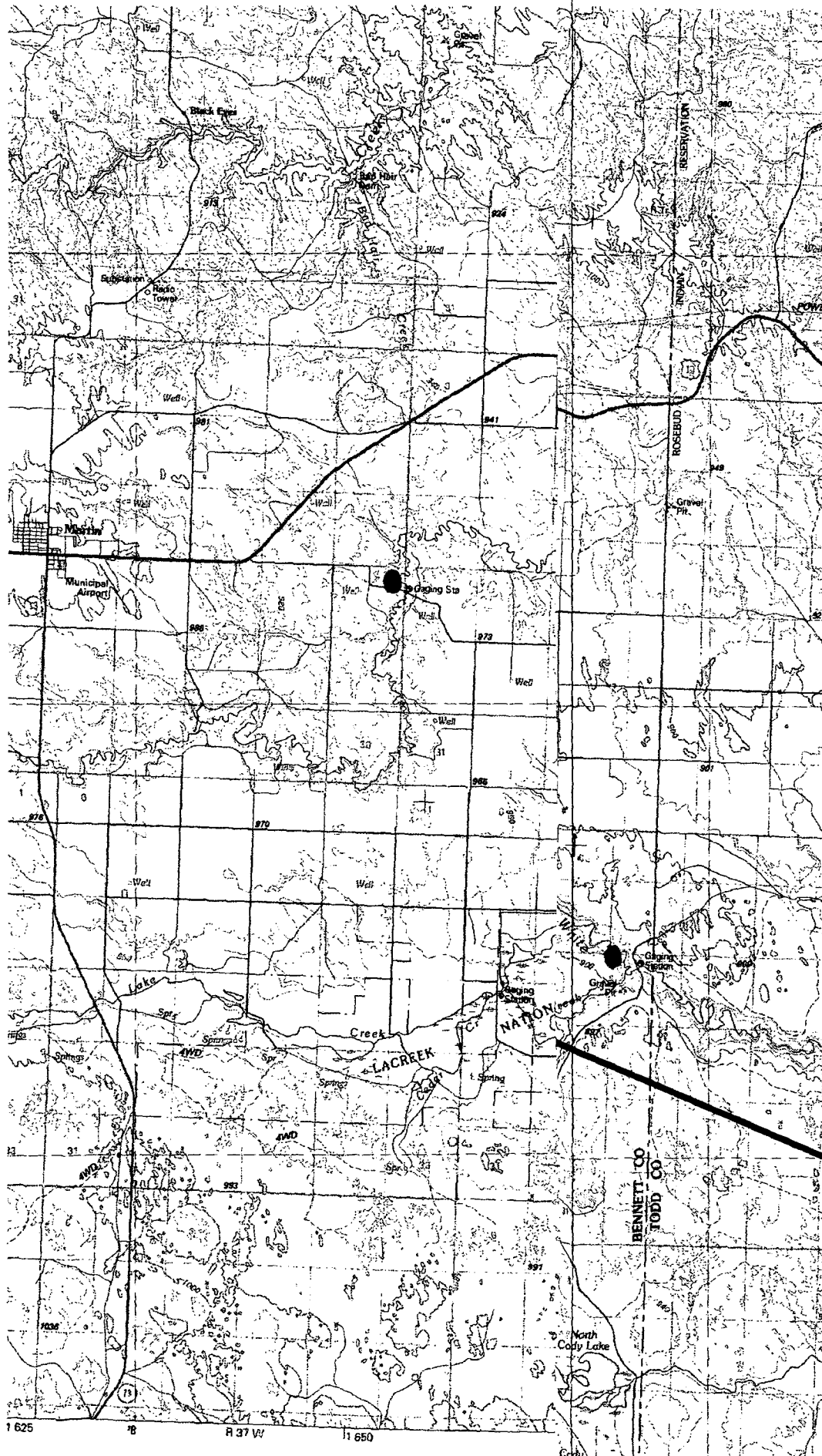
Mark D. Rath
Natural Resources Engineer III

References

U.S. Geological Survey Daily Mean Discharge Data retrieved from the National Water Information System Files (ADAPS)

South Dakota Department of Environment & Natural Resources, Water Rights Division Program

Permit No. 2432-2
Bennett Co.
Little White River

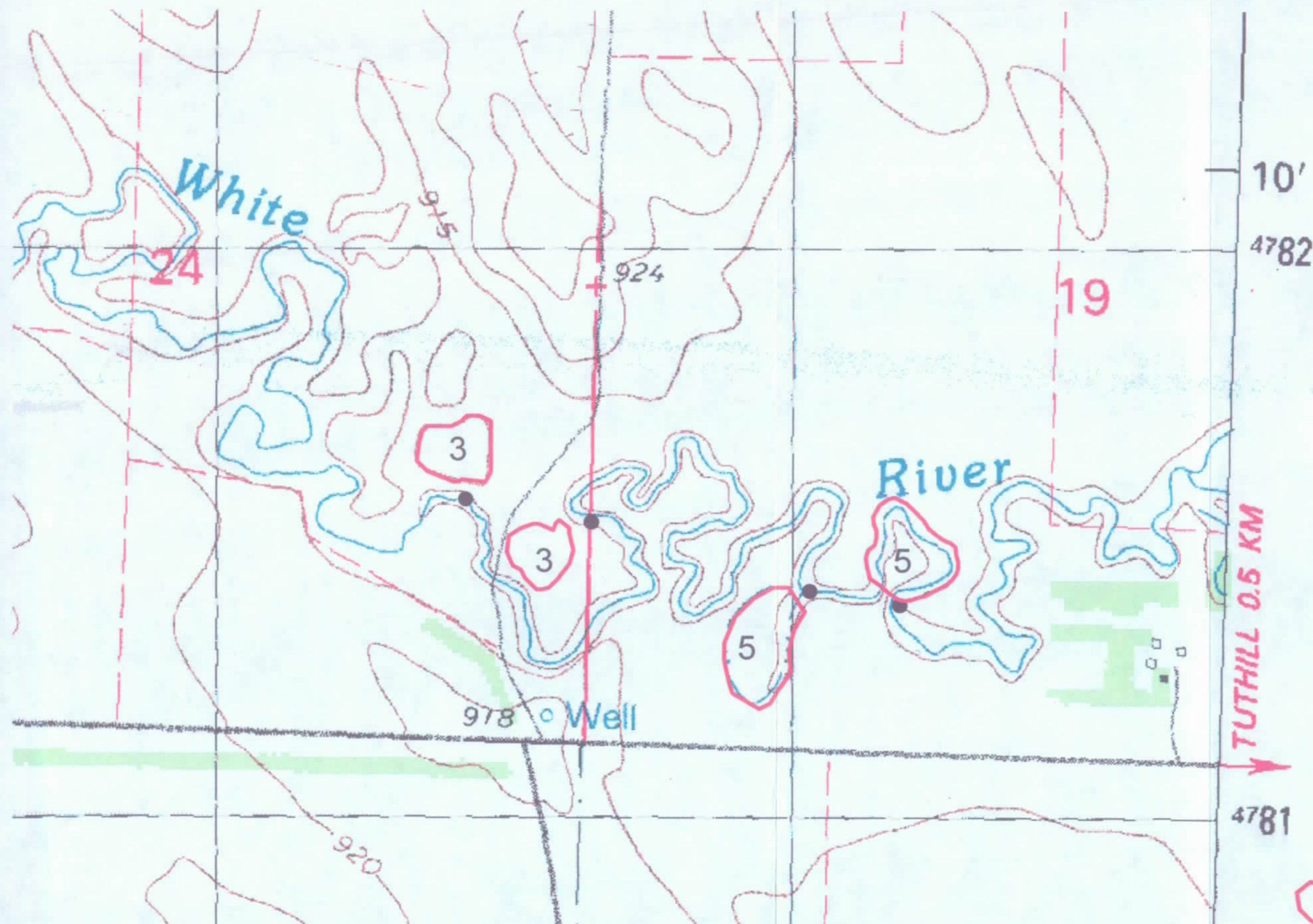


Attachment 1

● Gauging Station

Attachment 2

Permit No. 2432-2
Bennett Co.
Little White River



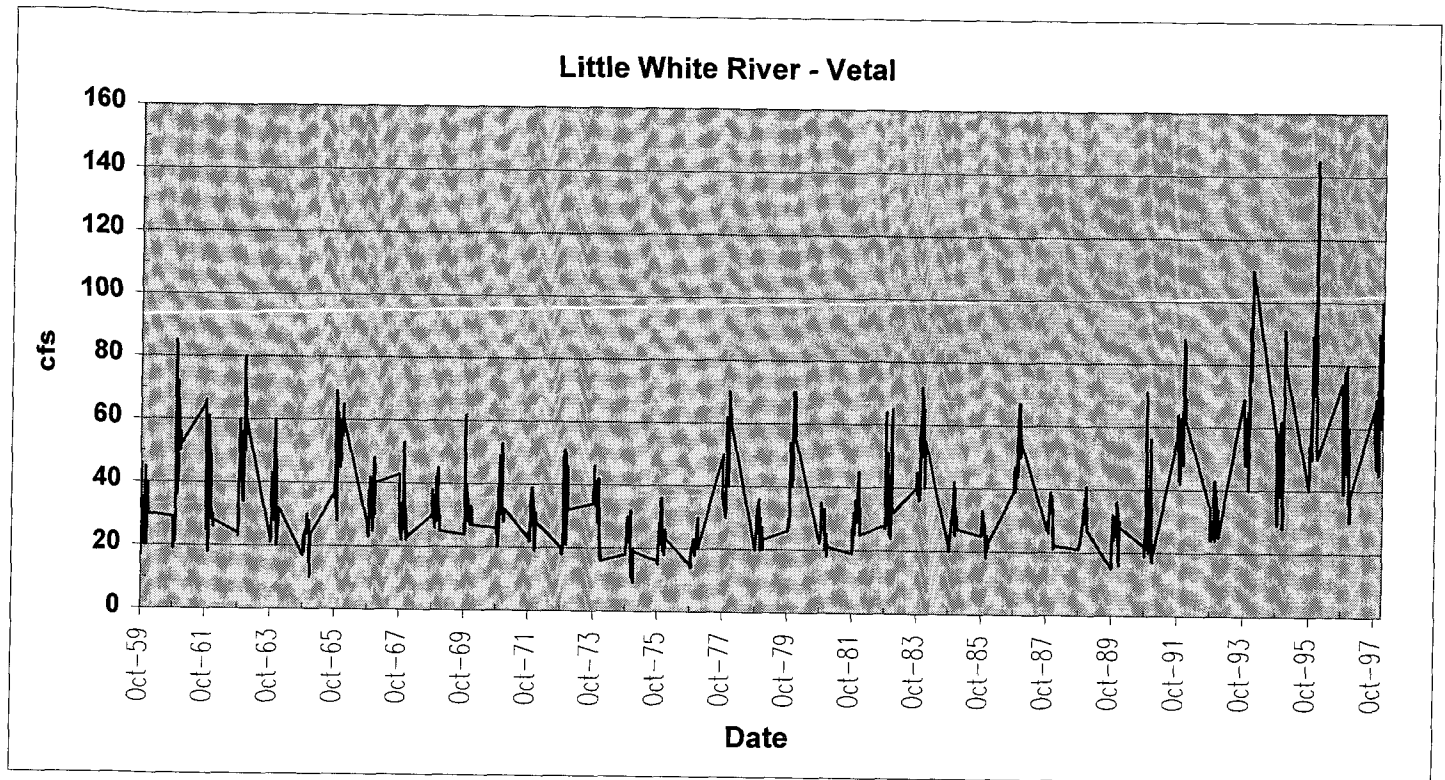
Not to Scale

● Diversion Point

3 Oxbow & Approximate
Surface Area

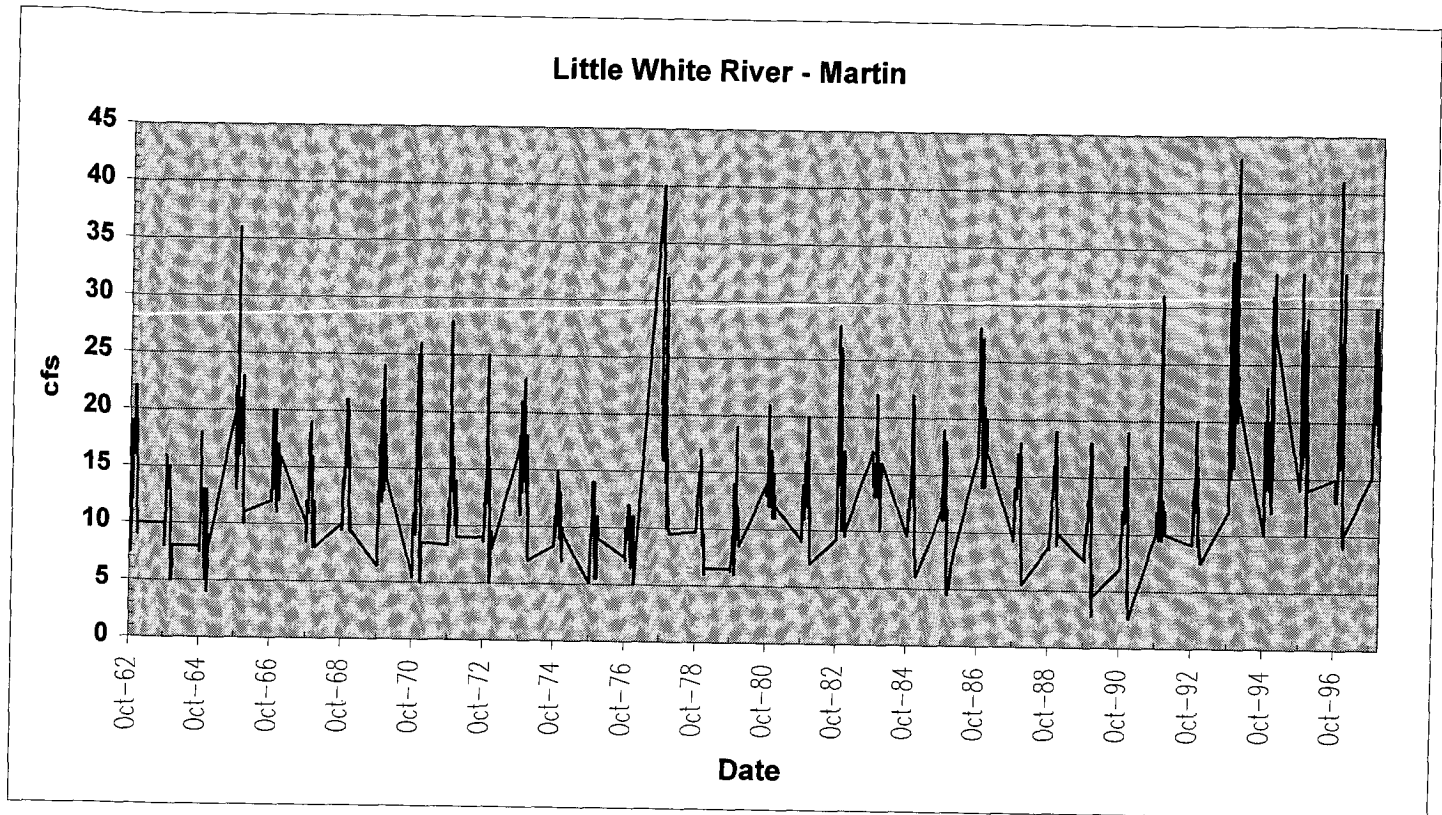
Attachment 1

Little White River - Vetal Oct - Dec Flows



Little White River - Vetal	
Mean	37.75
Standard Error	0.27
Median	33.00
Mode	30.00
Standard Deviation	16.09
Sample Variance	258.83
Kurtosis	1.53
Skewness	1.20
Range	136.00
Minimum	9.00
Maximum	145.00
Sum	135430.00
Count	3588.00
Confidence Level(90.0%)	0.44

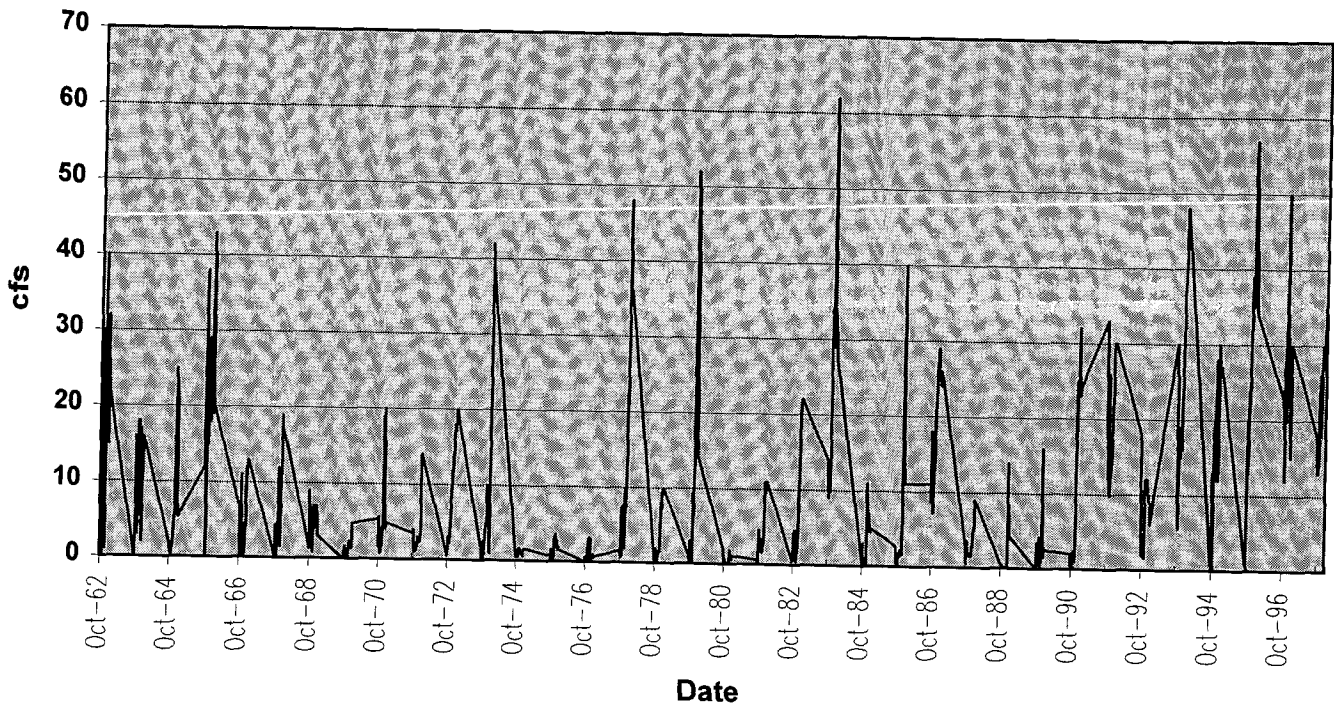
Little White River - Martin Oct - Dec Statistics



Little White River - Martin	
Mean	14.14
Standard Error	0.09
Median	13.00
Mode	14.00
Standard Deviation	5.36
Sample Variance	28.73
Kurtosis	2.31
Skewness	1.14
Range	40.40
Minimum	2.60
Maximum	43.00
Sum	46835.00
Count	3312.00
Confidence Level(90.0%)	0.15

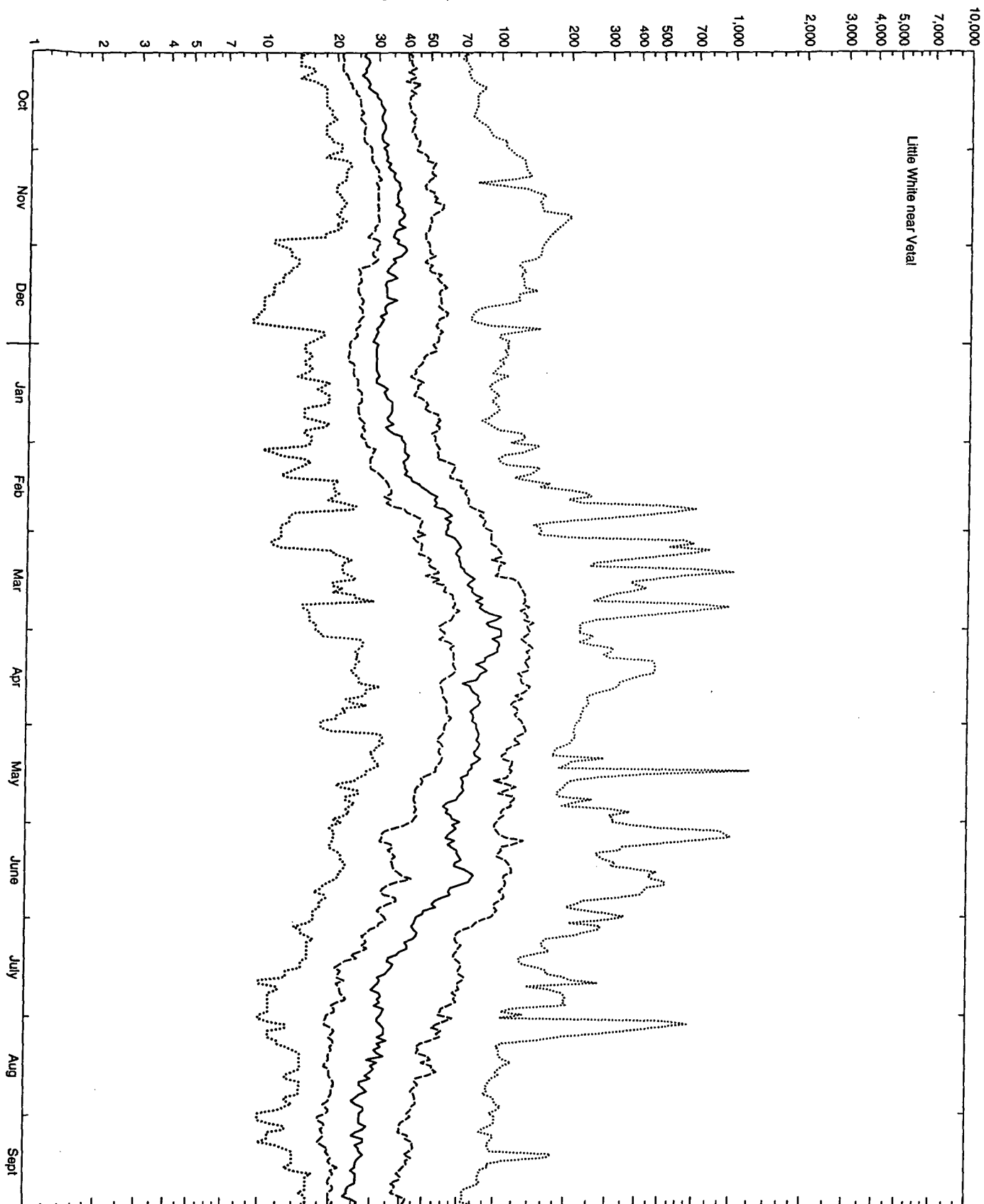
Lake Creek - Tuthill
Oct - Dec Statistics

Lake Creek - Tuthill



<i>Lake Creek - Tuthill</i>	
Mean	10.13
Standard Error	0.20
Median	4.50
Mode	1.60
Standard Deviation	11.77
Sample Variance	138.51
Kurtosis	1.47
Skewness	1.40
Range	62.00
Minimum	0.00
Maximum	62.00
Sum	33542.49
Count	3312.00
Confidence Level(90.0%)	0.34

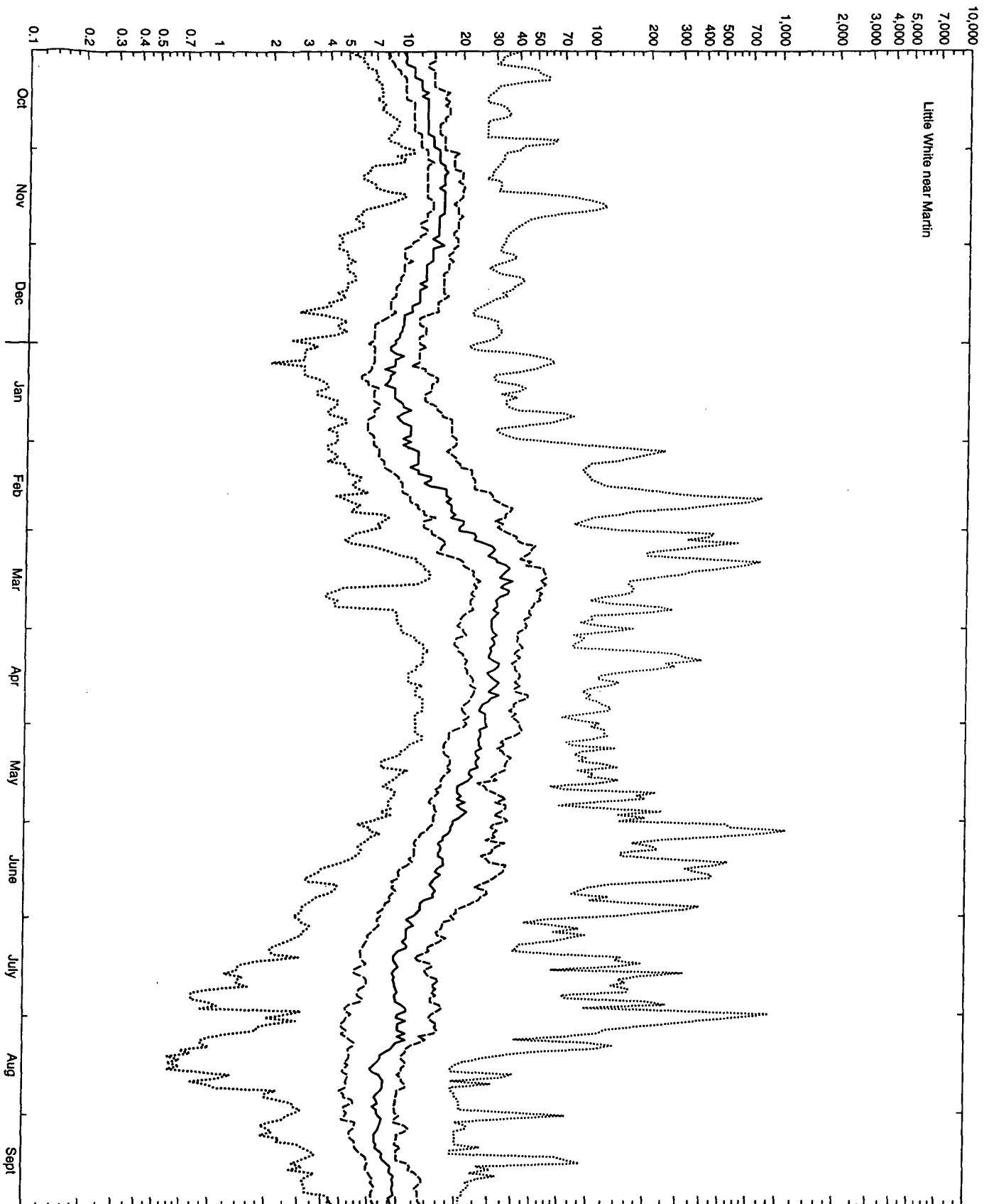
DISCHARGE, IN CUBIC FEET PER SECOND



Little White near Veta

EXPLANATION
..... max
----- 75th_percentile
—— median
----- 25th_percentile
..... min

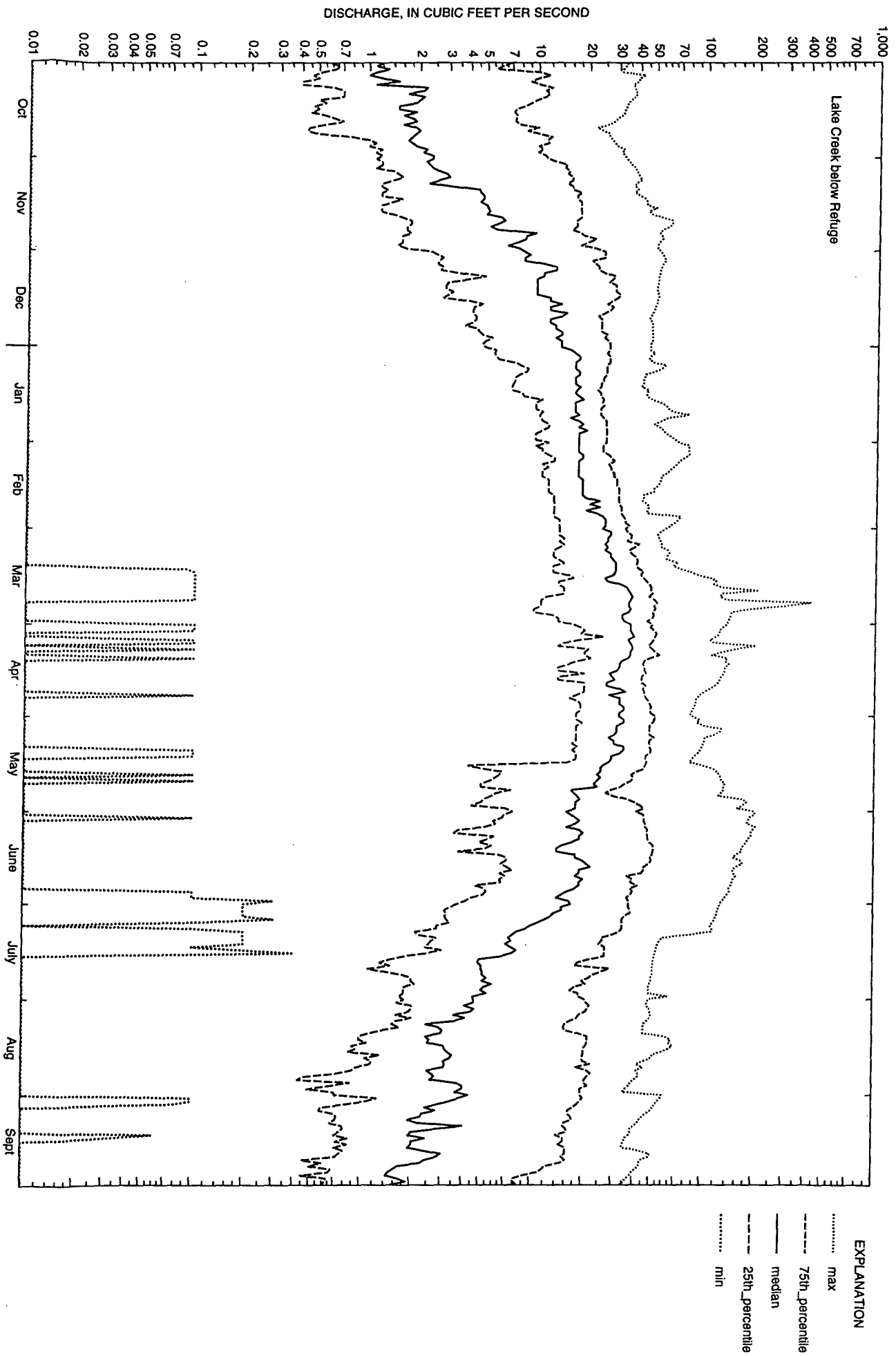
DISCHARGE, IN CUBIC FEET PER SECOND



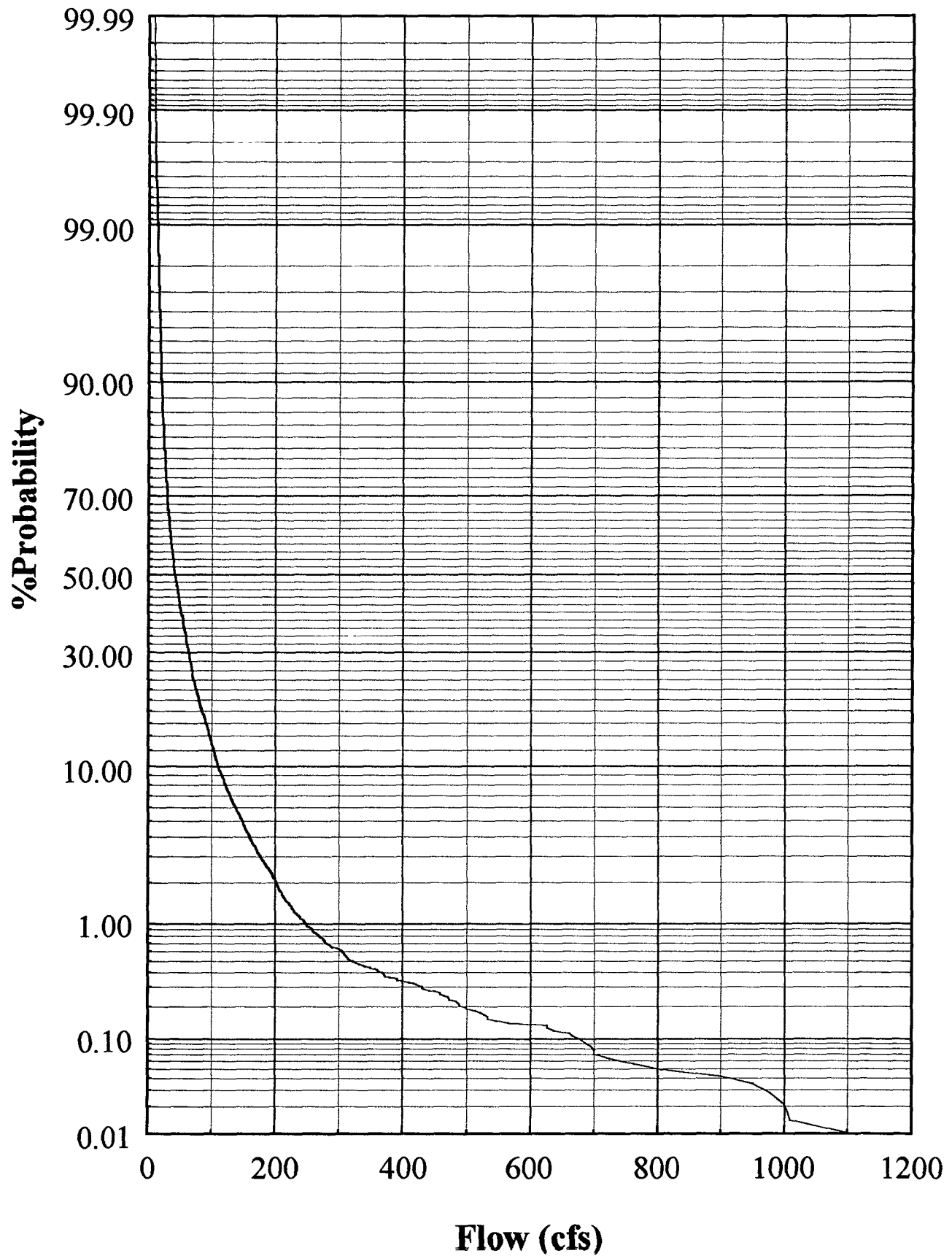
Little White near Martin

EXPLANATION

- max
- 75th_percentile
- median
- 25th_percentile
- min



Vetal Gauge Station Little White River



=====

Descriptive Statistics Report
Little White River Vetal Gauge Station

=====

Number of rows:	14306
Number of valid points:	14306
Number of missing points:	0
Number of negative values:	0
Number of positive values:	14306
Number of zero values:	0
Minimum value:	9.00000000
Maximum value:	1200.00000000
Inter range value:	1191.00000000
Median:	42.00000000
Sum of row value:	839458.000000
Sum of absolute value:	839458.000000
Arithmetic mean:	58.67873619
Geometric mean:	-NAN
Quadratic mean:	80.52605487
Harmonic mean:	37.83810352
Absolute mean:	58.67873619
Sum of squares:	92766477.5000
Variance:	3041.46403157
Standard deviation:	55.14946991
Absolute deviation:	33.41738240
Standard error:	0.46108631

95 percent confidence interval:

□ □ [57.77494715, 59.58252523]

99 percent confidence interval:

□ □ [57.49089818, 59.86657421]

Coefficient of variance:	93.98544258
Skewness:	5.62149414
Coefficient of skewness:	0.33333333
Kurtosis:	103854.115449
Coefficient of Kurtosis:	103857.115449

Percentiles:

10 percentile:	21.00000000
25 percentile:	28.00000000
50 percentile:	42.00000000
75 percentile:	70.00000000
90 percentile:	110.00000000

Quartiles:

First quartile:	28.00000000
Second quartile:	42.00000000
Third quartile:	70.00000000
Inter quartile:	42.00000000



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 24, 2000

Martin J. Vanderploeg
P.O. Box 188
Tuthill, SD 57574

Dear Mr. Vanderploeg:

Water Permit Application No. 2432-2 for fish and wildlife propagation has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Bennett Co. Booster II printed at Martin, SD (Ph # (605) 685-6866). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

c: Leanne Swenson, EAI, 2321 N. Loop, Ames, IA 50010

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2000

Bennett Co. Booster II
Box 610
Martin, SD 57551-0610

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2432-2 to Appropriate Water to be published twice. Please publish the first notice on February 2, 2000, with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Martin J. Vanderploeg, P.O. Box 188, Tuthill, SD 57574 (Ph # (605) 685-1199).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 2432-2

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 21, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 2432-2 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on February 2, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING ON APPLICATION NO. 2432-2 to Appropriate Water

Notice is given that Martin J Vanderploeg, PO Box 188, Tuthill SD 57574 has filed an application for a water permit to appropriate 0.45 cubic feet of water per second (200 gallons per minute) from the Little White River to fill four oxbows with water each fall. The application proposes divert from the White River and impound up to 32 acre-feet in four oxbows located in the E ½ SE ¼ Section 24-T37N-R36W and the S ½ SW ¼ Section 19-T37N-R35W. The period during which diversion may take place is October 1st through December 15th of each year. The water will be used for fish and wildlife propagation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2432-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 22, 2000. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 2:00 p.m., March 1, 2000, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The March 1, 2000, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 22, 2000.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by February 22, 2000, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication



State of South Dakota }
County of Bennett } ss.

Dale R. Lewis

being duly sworn, says: the Bennett County Booster II is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in SDCL 17-2-2, as amended published at Martin, Bennett County, South Dakota; that affiant is and during all of said times was, an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is attached, was

published in said newspaper for two successive issues, bearing the following dates:

February 2, 192000

February 9, 192000

, 19

, 19

, 19

, 19

that the full amount of the fee charged for publishing

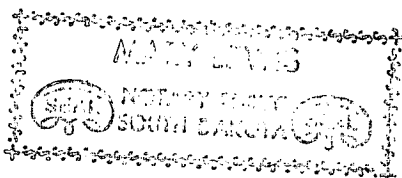
the same, to-wit, the sum of \$ 61.78, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Subscribed and sworn to before me this 11th day

of February, 192000.

Notary Public
County of Bennett, South Dakota

My commission expires June 27, 2002.



Notice of Hearing

NOTICE OF HEARING ON APPLICATION NO. 2432-2 to Appropriate Water

Notice is given that Martin J. Vanderploeg, P.O. Box 188, Tuthill, SD 57574 has filed an application for a water permit to appropriate 0.45 cubic feet of water per second (200 gallons per minute) from the Little White River to fill four oxbows with water each fall. The application proposes divert from the White River and impound up to 32 acre-feet in four oxbows located in the E 1/2 SE 1/4 Section 24-T37N-R36W and the S 1/2 SW 1/4 Section 19-T37N-R35W. The period during which diversion may take place is October 1st through December 15th of each year. The water will be used for fish and wildlife propagation.

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2tc-5



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 10 2000

Martin J. Vanderploeg
P.O. Box 188
Tuthill, SD 57574

Dear Mr. Vanderploeg:

Enclosed is Water Permit No. 2432-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

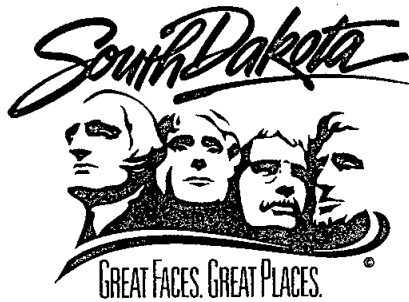
An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

c: Leanne Swenson, EAI, 2321 N. Loop, Ames, IA 50010.



2432-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

FEB 24 2016

2432-2
2456-2

Martin J Vanderploeg
22958 293rd St
Martin SD 57551

Dear Sir:

Enclosed is Water License No. 2456-2. 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.

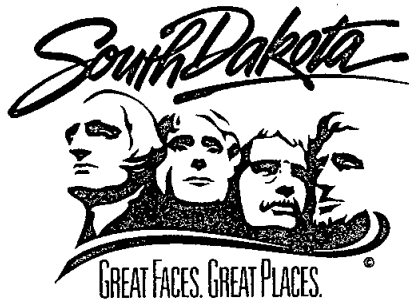
As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

Note: The applicable portions of Water Permit No. 2432-2 were incorporated into Water License No. 2456-2.



2432-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

FEB 24 2016

2432-2
2456-2

Martin J Vanderploeg
22958 293rd St
Martin SD 57551

Dear Sir:

Enclosed is Water License No. 2456-2. 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.

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

Note: The applicable portions of Water Permit No. 2432-2 were incorporated into Water License No. 2456-2.