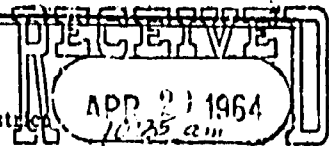


1100-3

1. Considered 7-15, 1967
2. Name of Applicant Effie Kemp
3. Post Office Address Elk Point
4. Amount of Water Claimed .92
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 64.5
7. Water to be diverted and used in Union County about
2 1/2 Miles of Jefferson
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:
No fee yet

No. 1100-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Offie Kemp VINCENT TRUDEAU
 Postoffice address Franklin, S.D. County Lincoln State S. Dak.

- I. If a corporation R. 12th & JEFFERSON
- (a) Name of same _____
- (b) Date and place of incorporation _____
- (c) Amount of capital stock _____
- (d) Amount paid in _____
- (e) Names and addresses of directors _____

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

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

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor) _____
- (b) Cash on hand, \$ adequate (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work _____
3. Amount of water claimed 0.92 cubic feet per second 415 gpm
4. Source of water supply Irrigation Well
5. Location of point of diversion NE 1/4 - SE 1/4 25-90-49
11th St. & 1st St. on _____ bank _____ County.
6. Annual period or periods during which water is to be used May Through October
7. To be used for:

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

(a) Number of acres to be irrigated 64.5 acres.

(b) Legal subdivisions to be irrigated NE 1/4 - SE 1/4 & SE 1/4 - SE 1/4 25-90-49

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

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

- (a) Nature of use _____
 Name any of the above uses claimed
- (b) Amount of power to be generated _____ horse power.
 Amount claimed for engine cooling _____
- (c) Location of plant _____
- (d) Method of developing power _____
- (e) Point where water will be returned to stream _____

Map No 733-3

8. Estimated cost of work:

(a) Head Gates, \$ (b) Pumping plant, \$ 3,000.00
 (c) Fluming, \$ (d) Canal-earth, \$
 (e) Other structures Leveling \$50/acre Well, Rock, \$ 1,700.00
 Total, \$ 4,700.00

9. Description of diversion works:

Nature of works: (Reservoir, dam, ditch, dike, pumping plant, etc.)

Pumping plant from irrigation well

II. Dimensions of works.

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-FFET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FT-ET	ACRE-FEET CAPACITY

(c)* Head gate: Width feet; height feet;
 Material

(d) Canal: Total length miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5 years.
 11. Time required for complete application of water to the proposed beneficial use 5 years.
 12. Choice of newspaper for publication of notice of intention to appropriate

Elk Point Leader Courier

STATE OF SOUTH DAKOTA } ss.
 County of Union }

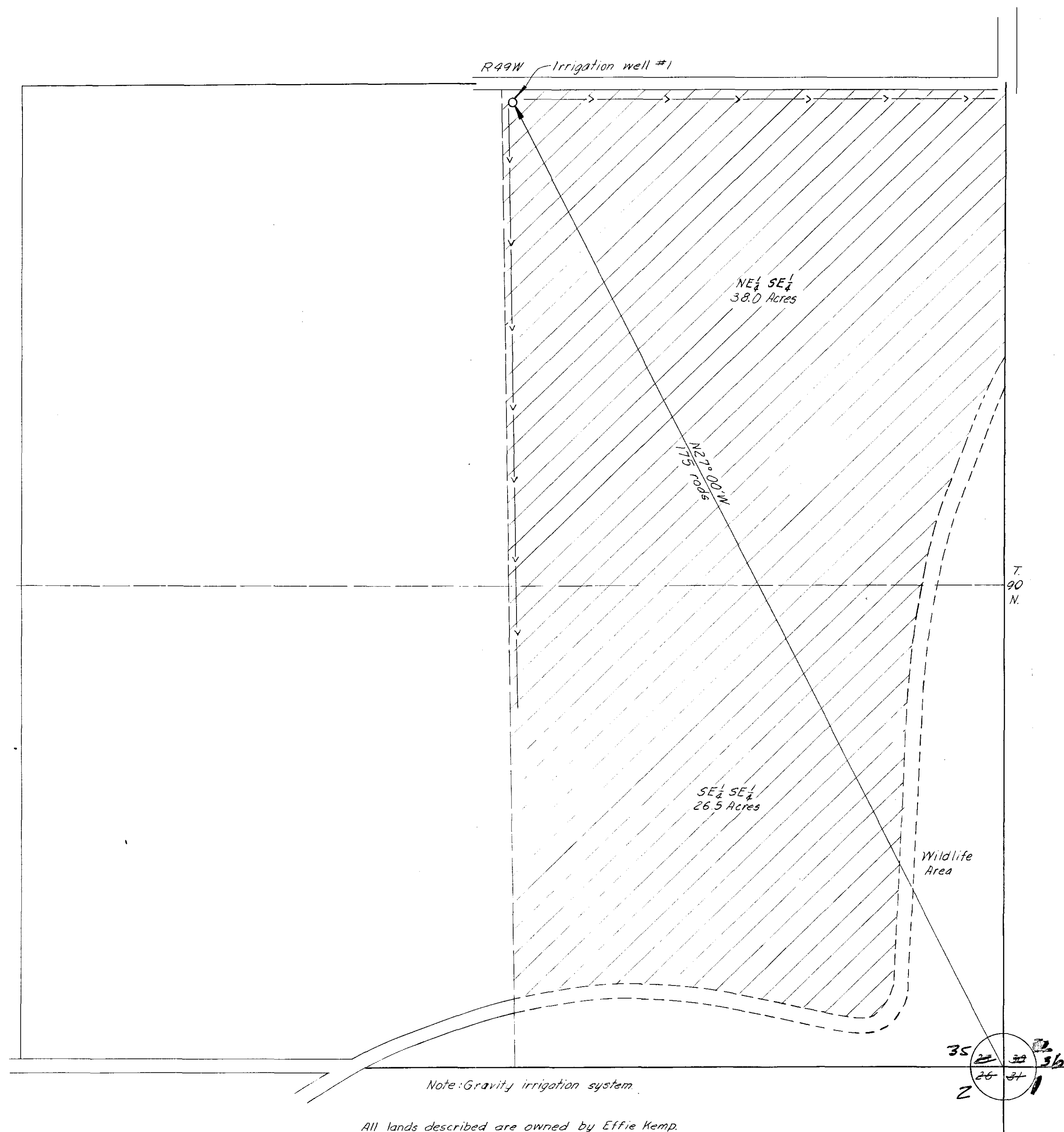
I, Effie Kemp, being first duly sworn
 on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have
 read the above foregoing statement, examined the map accompanying the same, and that I know of my own
 personal knowledge that the matters therein stated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

Signed

Subscribed and sworn to before me this 28 day of

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Note: Gravity irrigation system.

All lands described are owned by Effie Kemp.

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE 1/4 SE 1/4	25 35	25N	49W	38.0
SE 1/4 SE 1/4	25 35	25N	49W	26.5
TOTAL				64.5

SURVEYOR'S CERTIFICATE

I, James C. Pohl DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE EFFIE KEMP IRRIGATION PROJECT NO. 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE UNION COUNTY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: James C. Pohl
TITLE: Agricultural Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 11-27-63 DAY OF November, 1963 A.D.

NOTARY PUBLIC

MY COMMISSION EXPIRES 11-27-64, 1964.

Scale: 1" = 200'

EFFIE KEMP IRRIGATION PROJECT NUMBER 1

Union County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <u>C.C.W.</u>	Date <u>6-3-63</u>	Approved by _____
Drawn _____	Title _____	
Traced _____	Title _____	
Checked _____	Sheet <u>No 1</u>	Drawing No. _____
	of <u>1</u>	

Map No 733-3 (Appl No 1100-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } 811.

Pierre, South Dakota, August 10, 1964

This is to certify that the foregoing application was received by the Commission at 10:25 o'clock
a.m. upon the 29th day of April, 1964

State Water Resources Commission

By:

Durston Jones
for Chief Engineer, Executive Officer

Number of permit 1100-3

Date of first receipt of application April 29, 1964

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 29, 1964

Approved ✓ 15, 1964, Recorded in Book: 8 Page 228

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

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

January 15, 1967

2nd. The whole of said work is to be completed on or before July 15, 1967

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

July 15, 1969
4th. The water appropriated shall be used for the purpose of irrigation

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

6th. The amount of the appropriation herein granted shall not exceed .92 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before July 15, 1969; said water to be used during the following described annual period:

May thru October

Witness my hand this 10th day of August, 1964

State Water Resources Commission

By:

Frederick
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 4, 1970

Water License Issued JANUARY 4, 1971

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 100'Type of casing Concrete or galvanized steel
(wood, concrete, steel, etc.)Size of casing 18", Thickness of casing 10-gage or 2 1/2"Length of casing 100' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Concrete or galvanized steelSize of perforated screen 18", 20'
(diameter) (length)Thickness of gravel pack 6-9", length of gravel pack 20' +

(c) Water Bearing Materials

Distance to water 12-14' Character of water bearing materialsSand and Gravel 64-88'Gravel, coarse 88-90'Sand and gravel 90-97'Thickness of water bearing material 33' +

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)Name of pump Western Land Bore, size 10"Kind of motor Traction - diesel
(gasoline, electric, d.c., etc.)Horsepower 20, Name of Motor

(e) Complete well

Capacity 500 gpm at drawdown of Estimated cost \$1,700.00(f) Owner of land upon which well is located Effie Kemp
NameBellevue, S. Dak
ELK Point Address

(g) Distance to nearest existing wells

On same owner's property rods. On property owned by others 500 + rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1100-3

(1) WHEREAS, On the 29th day of April A. D. 19 64
Effie Kemp

made Water Right Application No. 1100-3 for a permit to use .92 cubic feet per second of the waters of ground water

County of Union, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 10th day of August A. D. 19 64
 Permit No. 1100-3, with a date of priority of April 29, 1964

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 15th day of July A. D. 19 69 and for the application to beneficial use of said water on or before the 15th day of July A. D. 19 69

and, Whereas, on the 4th day of January, 1971, the Permit was transferred to Vincent Trudeau

and.

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .92 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 35, T90N, R49W

	Acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	38.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	26.5
Total	64.5 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Vincent Trudeau

_____ of Jefferson, S.D.

the holder _____ and owner _____ of said permit No. 1100-3 a water right, dating from April 29, 1964

_____ to use of .92 cubic feet per second of the waters of ground water

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 175 rods, North 27° West of the SE Corner, Section 35, T90N, R49W

and conduct to and upon a portion of the E½ SE¼ Section 35, T90N, R49W, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1100-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of January A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRILES

Form 15.

Permit No. 1100-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Vincent Trudeau

_____ the holder _____ of
Permit No. 1100-3, issued upon Application No. 1100-3, bearing date of priority of April 29,
1964 authorizing the diversion of .92 cu. ft. per second of the waters of _____
ground water County of H Union, State of South Dakota at _____
a point 175 rods North 27⁰ West of the SE Corner, Section 35, T26N, R49W

_____, for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.34 cu. ft. per second of water.

Date January 4, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before
(First Publication June 18, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 5, 1964

Notice is hereby given that Effie Kemp whose postoffice address is Elk Point S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .92 cubic feet of water per second of time from ~~the~~ ground water through the Kemp #1, the point of diversion of which is to be located ~~on the~~ bank of the stream in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25 Twp 90N Range 49W portions of said water to be used for the purpose of providing irrigation on the following described land:
E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 25, T90N, R49W

~~and for~~ purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 P. M. All interested persons may appear and be heard.

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

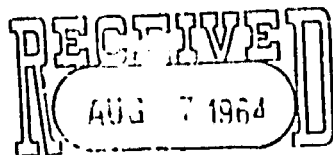
State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Byron Helgerson, Publisher
Leader-Courier
Elk Point, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Union } ss.Byron Helgersen being duly sworn, deposes and says the annexed printed copy of Noticeof Intention to Appropriate Water was taken from the Leadell Courier 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 Elk Point County of Union and State of South Dakota; that the said notice was published in said newspaper on the following dates:June 11, 1964
June 18, 1964
June 25, 1964
July 2, 1964in each and every issue of the full number thereof, the first publication being made on the 11th day of June 1964 and the last publication on the 2nd day of July 1964, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor the printer and publisher of the said newspaper.Byron HelgersenSubscribed and sworn to before me this 2nd day of July A. D. 1964Edith HelgersenNotary Public Union County, S. D.STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., June 5, 1964.

Notice is hereby given that Effie Kemp whose postoffice address is Elk Point, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .92 cubic feet of water per second of time from ground water through the Kemp No. 1, the point of diversion of which is to be located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35 Twp. 90N Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land:E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 35. T90N, R49W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources

Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: BURTON F. JONES,
Water Rights Specialist

(Pub. June 11, 18, 25, July 2)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date _____

This is to notify you that title to the lands described as follows:
E½ SE½, Section 35, T90N, R49W

_____ formerly owned by Effie Kemp

_____ has been transferred to Vincent Trudeau, R.R. #1, Jefferson, S.D.

_____ together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1100-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

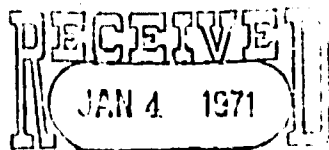
STATE OF SOUTH DAKOTA)
County of Union) ss.

I, VINCENT TRUDEAU 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.

Vincent Trudeau
(Signed)

Suscribed and sworn to before me this 2 day of JAN, 19 71.

Roger D. Allen
(Notary Public)



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Permit No. 1100-3Water Division 3 SIOUX RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Effie Kemp
Elk Point, S.D. holder
 of Permit No. 1100-3, bearing date of priority of April 29, 1964
 authorizing the diversion of 0.92 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Union County.

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

The Water Use System consists of,

A. Works used to divert the water:
 Well, 102 ft. deep, 24 inch concrete casing, static water level 22 ft.
 drawdown depth to 35 ft., Bowl setting 40 ft.
 Western Land Roller pump, 10 inch, Mod 10B
 International Tractor-Diesel-66 HP

B. Works used to transport water to place of use,
 Open ditch
 Siphons

C. Works used to apply water to beneficial use.
 Siphons
 Land leveling
 Vermeer sprinkler Boom

The system is in the following condition: goodThe point of diversion is located 175 rods N. 27° West of SE Corner of Section 35, T9N, R49W

The works are capable of diverting and conveying to the place of use 3.34
 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 35, T9N, R49W
NE½ SE½ 38.0 acres
SE½ SE½ 26.5 acres

comprising a total of 64.5 acres of land.

The Water License should be in the name of Vincent Trudeau, R.R. 1, Jefferson, S.D.

Date 8 October 1, 1970

Donald Driscoll
 (Signature)

SMH DONALD DRISCOLL, Deputy Chief Engineer
 Water Resources Commission



Department of Water & Natural Resources

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

February 9, 1988

1100-3
2624-3
2625-3

Trudeau Farms Inc.
RR #1 Box 58
Jefferson, SD 57038

Dear Sirs:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1100-3, 2624-3 and 2625-3. These forms are being forwarded to you in response to the 1987 irrigation questionnaires on which you indicated the water rights should be listed under Trudeau Farms Inc instead of Vincent Trudeau.

Please check over the forms and sign in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The water rights will then be transferred to Trudeau Farms Inc.

South Dakota Water Law 46-54-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

Water Rights Division - DWR
Conversation or File Documentation

File No. 1100-3
262-3
2625-3

NAME OF PERSON OR FILE: Trudeau Farms Inc.

ADDRESS: RR #1 Box 58, Jefferson, SD COUNTY

DATE: February 12, 1988 TELEPHONE

RE: ownership status of Nos. 1100-3, 2624-3 and 2625-3

COMMENTS:

The 1987 irrigation questionnaires were returned for Vincent Trudeau marked "Trudeau Farms Inc." which was assumed to be an ownership change. Transfer forms were sent February 9, 1988. A son of Vincent Trudeau called February 12, 1988 and indicated the change was just an address change and not an ownership change. The permits should be left under Vincent Trudeau with the questionnaires sent to Trudeau Farms Inc. Vincent Trudeau has retired and his sons will be completing the questionnaires.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Henry Mink

4/82

DATE MICROFILMED

CAMERA OPERATOR

 **Department of
Water & Natural Resources**

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

1100-3

January 29, 1988

VINCENT TRUDEAU
RR #1 BOX 57
JEFFERSON, SD 57038

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1100-3, 2624-3, 2625-3. The request for the Questionnaire was dated October 3, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre 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(s), the Water Management Board can:

1. Amend Permit No(s). 1100-3, 2624-3, 2625-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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.



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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

February 9, 1988

1100-3
2624-3
2625-3

Vincent Trudeau
RR 1, Box 57
Jefferson SD 57038

Dear Mr. Trudeau:

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. 1100-3, 2624-3 & 2625-3 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

 **Department of
Water & Natural Resources**

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

May 26, 1988

Vincent Trudeau
Trudeau Farms Inc.
RR 1, Box 58
Jefferson, SD 57038

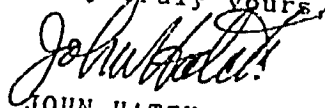
Dear Mr. Trudeau:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 1100-3.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,



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



1100-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

TRUDEAU FARMS INC., OPERATOR
RR 1 BOX 370
JEFFERSON SD 57038

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1100-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3 & 4370-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1100-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3 & 4370-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

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

cc: Paul Vondrak, RR #1, Jeffersaon, SD 57038
Vincent Trudeau, RR #1 Box 58, Jefferson, SD 57038
Joseph Trudeau, RR 1 Box 57, Jefferson, SD 57038

on the reverse side?

SENDER:

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

3. Article Addressed to: 1100-3

TRUDEAU FARMS INC., OPERATOR
RR 1 BOX 370
JEFFERSON SD 57038

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

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

Q837 692 556

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

5. Signature (Addressee)

C. Trudeau Farms

6. Signature (Agent)

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

Is your RETURN A

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 1994

Trudeau Farms Inc.
RR #1 Box 370
Jefferson, SD 57038

RE: Water Permit Nos. 1100-3, 2340-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3 & 4370-3

Dear Sirs:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaires and the Notice of Violation of Water Permit No. 2340-3.

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

cc: Steve Heitman, RR #1 Box 150, Jefferson, SD 57038
Paul Vondrak, RR #1 Jefferson, SD 57038
Vincent Trudeau, RR #1 Box 58, Jefferson, SD 57038
Joseph Trudeau, RR #1 Box 57, Jefferson, SD 57038

SOUTH DAKOTA WATER WELL COMPLETION REPORT

1100-3

07-92

Location NW 1/4 SE 1/4 Sec 35 Twp 90N Rg 49W

County

Union

North

Please mark well location with an "X"

W

E

Well Completion Date

5-4-09

1 Mile

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/4 mi. from any (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SCH 40</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>139</u> FT	<u>15</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	_____	_____ lb./gal	<u>30</u> ft.	<u>10</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Pumped inSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 12 IN Length 40 FEETMaterial PVC SCH 40Slot Size 50 Set From 99 Feet to 139 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____

X NO, Why Not? _____irrigation

Laboratory sent to for water quality analysis _____

Well Owner: _____

Business Name: Trudeau FarmsAddress: 33052 480th Ave
Jefferson, SD 57038

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top soil</u>	<u>0</u>	<u>3</u>
<u>Silty sand</u>	<u>3</u>	<u>34</u>
<u>Soft clay</u>	<u>34</u>	<u>77</u>
<u>Med. gravel</u>	<u>77</u>	<u>79</u>
<u>Soft clay</u>	<u>79</u>	<u>95</u>
<u>Med. gravel</u>	<u>95</u>	<u>140</u>

STATIC WATER LEVEL 22 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: _____

☐ Bailed☐ Other

RECEIVED

JAN 21 2010

WATER RIGHTS PROGRAM

Pumping Level Below Land Surface

44 ft. After 2 Hrs. pumped 700 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 550 GPM

REMARKS

Replacement well; changed from flood irrigation to center pivot.This well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling + Backhoe, Inc.

Signature of License Representative:

Dennis E. Uecker

Signature of Well Owner or Equitable Property Holder:

Date: _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 15, 2019

Joe Trudeau
Trudeau Farms Inc
33060 480th Ave
Jefferson SD 57038

RE: Water Right Nos. 1100-3, 2340-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3 and 3869-3

Dear Mr. Trudeau:

I am writing you regarding ownership of the above water rights. For many years we have forwarded the annual irrigation questionnaires for these water rights to you as the "operator". In reviewing the files, I believe ownership of the land described in the water rights has changed over the years and has never been updated.

Below is a list of these water rights:

- 1100-3: Vincent Trudeau, E ½ SE ¼ Section 35, T90N, R49W
- 2624-3: Vincent Trudeau, NW ¼ Section 11, T89N, R49W
- 2625-3: Vincent Trudeau, SW ¼ Section 23, T90N, R49W
- 2401-3: Paul Vondrak, NE ¼ & NE ¼ SE ¼ Section 13, T90N, R49W
- 2402-3: Paul Vondrak, SW ¼ NE ¼, N ½ SE ¼ Section 13, T90N, R49W
- 3286-3: Paul Vondrak, NE ¼ Section 26, T90N, R49W
- 2340-3: Steve Heitman, SE ¼ Section 12 and N ½ N ½ Section 13, T89N, R49W
- 2347-3: Merlyn Karpen, SW ¼ Section 27, T90N, R49W
- 3869-3: Clarence Kneebone, NW ¼ Section 15, T90N, R49W

Would you please review the list and let me know if ownership has changed, and if so, where I should direct transfer forms to. Thanks in advance for your help.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: KEMPS C/O TRUDEAU FARMS INC. OP, JOE TRUDEAU, 33060 480TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3 & 4370-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3 & 4370-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TEFGBZB**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 13, 2024

1100-3, 2347-3, 2401-3, 2402-3
2624-3, 2625-3, 3286-3, 3869-3
4370-3, 2340-3, 2623-3, 5666-3
6001-3, 6079-3 & 6956-3

Trudeau Farms Inc.
c/o Joseph Trudeau
33060 480th Ave
Jefferson SD 57038

Dear Mr. Trudeau:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3, 4370-3, 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

cc: STEVE HEITMAN, RR 1 BOX 150, JEFFERSON SD 57038
MERYLN KARPEN, BOX 187, JEFFERSON, SD 57038
CLARENCE KNEEBONE, PO BOX 366, ELK POINT SD 57025
PAUL VONDRAK, RT 1, JEFFERSON SD 57038