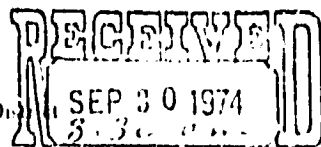


No. 2119-3Map No. 1517-3 Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Edwin Dale Vander Vorst
Postoffice address Mound City, State South Dakota
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 Edwin Dale Vander Vorst Irrigation Project No. 1.
4. Amount of water claimed (cubic feet per second) 2.1 cfs.
5. Source of water supply Well
6. Location of point of diversion 80 rods North and 80 rods West of Northeast Corner of 15 Twp 126 Rge 76
County Campbell
7. Annual period or periods during which water is to be used May - Oct
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 240 160

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.
SE 1/4 SEC 15 126, 76	40
SW 1/4 SEC 15 126, 76	40
NE 1/4 SEC 15 126, 76	40
SE 1/4 SEC 15 126, 76	40

Land Description	No. Acres Irr.
SW 1/4 SEC 10 126, 76	40
NE 1/4 SEC 10 126, 76	40

125

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Two years. Additional time required to complete application of water to the proposed beneficial use three years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication The Prairie Pigeon, Haverd S.D.
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use. For Agricultural IrrigationEstimated Total Cost \$ 40,000Attachments: 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 WalyorthI, Edwin Dale Vander Vorst, 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 Edwin Dale Vander VorstSubscribed and sworn to before me this 20th day of September, 19 74Robert T. Larson

Notary Public (or other qualified officer)

My commission expires 11-1-78 Robert T. Larson

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2119-3
EDWIN DALE VANDER VORST MOUND CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57646 With the following modifications:
 (State)

The irrigation well approved under this Permit is located near domestic 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 existing domestic wells.

Date of first receipt of application SEPTEMBER 30 19 74
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved NOVEMBER 13 19 74 Recorded in Book 13 Page 126

WATER RIGHT PERMIT NO. 2119-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2119-3 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 SEPTEMBER 30 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 13 19 75
3. The whole of said work is to be completed on or before NOVEMBER 13 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 19 79
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 must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.1 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 NOVEMBER 13 19 79; said water to be used during the following described annual period: MAY - OCTOBER

Witness my hand this 29TH day of NOVEMBER 19 74

WATER RIGHTS COMMISSION

By: Donald D. Wisniet
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3 19 78
 Water License Issued FEBRUARY 3 19 78

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 16 inches, Depth 300 ft
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 16 in. Thickness _____
- (3) Perforated Screen.
Type _____, Diameter 16, Length 10 ft.
- (4) Gravel Pack, Thickness 2", Length of gravel pack _____

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 Coarse gravel at 288 ft to 298 ft

Depth to top of water bearing material 170 ft.

Depth to bottom of water bearing material 300 ft.

Thickness of water bearing material 170 ft. bottom 10 ft. cased

Depth to water (ground surface to water level) 30 ft.

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

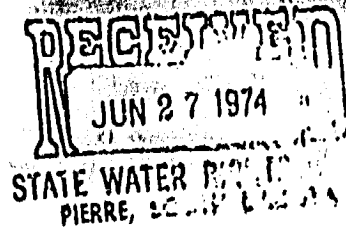
On same owner's property 90 rds. On property owned by others self rds.

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.

Elmer R. Vandervort
Signature of Applicant

June 10, 1974



Mr. Edwin D. VanderVorste
Hound City, SD 57646

Dear Mr. VanderVorste:

We have now received your WI-1 form pertaining to the application for irrigation in Sec 15 M25K76. The water quality analysis is reported on the accompanying original sheet. This is for you to keep. We have other copies which will be forwarded to Pierre.

This water is of quite good quality being medium to high in salinity but very low in sodium content. Therefore, I anticipate no problem in irrigating the land indicated on your WI-1 form. However, I would suggest that you be on the alert for possible salt accumulation inasmuch as the sub soil in some of these locations does have salt which will rise to the surface under some circumstances. If such should occur, please advise your county extension agent or get in touch with us directly for remedial procedures.

The quality of your water is indicated by the encircled red cross on the back cover of Extension Circular 654 enclosed for your use. Please read this circular carefully as it gives some information about the importance of managing salinity in some certain circumstances which apply to us.

Sincerely yours,

L. O. Fine
Lawrence O. Fine
Water Quality Lab

LOF:lll

Enclosures

CC: State Conservation Commission
Michael Madden-Campbell County Agent
Darrel Pahl

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH S.C.L. 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: 6/25/79

Disapproved: County Sealed

Edwin
NAME: Rale VanderVarste
ADDRESS: Mound City, So. Dak 57646
COUNTY: Campbell

LEGAL DESCRIPTION

- approximately in center of quarter*
1. WELL LOCATION: NE $\frac{1}{4}$ - 15 - 125 - 76
2. AREA TO BE IRRIGATED: NE of NE, NW of NE, SW of NE, SE of NE of Sec. 15
125 - 76

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler (center pivot)
4. CROPS TO BE IRRIGATED:
Alfalfa & Corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 3-9
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION:
Gravelly & Muck

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: _____

8. SALINITY: _____

9. SODIUM: _____

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Campbell County Soil Conservation District

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Eileen D. Hendrick

Subscribed and sworn before me this

27th day of May 1974.

Kenneth J. [unclear]

Register of Deeds

(Title)

REPORT OF ANALYSIS.
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Edwin Dale Vander Vorste
 Address: Round City, South Dakota
57046

Date Rec'd June 3, 1974
 Sample No. 74-329
 Identification Well-
10E, Sec. 15, T. 129N, R. 76W

WATER ANALYSIS

Calcium (Ca)	100	ppm*	5.00	me/l**
Magnesium (Mg)	30	ppm	2.46	me/l
Sodium (Na)	45	ppm	1.96	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	138	ppm	2.86	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	9	ppm	0.26	me/l
Bicarbonate (HCO ₃)	307	ppm	5.04	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	252	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	766	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.01			
Sodium	20.14	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.83			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

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

COMMENTS: Total cations 2.73 me/l
 Total anions 8.16 me/l

By: Shirley Hitten

Service Performed	Amount Due
Irrigation analysis	6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-329

Amount Enclosed \$

Signed

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2119-3

(1) WHEREAS, On the 30th day of September A. D. 19 74

Edwin Dale Vander Vorst

made Water Right Application No. 2119-3 for a permit to use 2.7 cubic feet per second of the waters of ground water

County of Campbell, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 29th day of November A. D. 19 74

Permit No. 2119-3, with a date of priority of September 30, 1974

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 13th day of November A. D. 19 76 and for the application to beneficial use of said water on or before the 13th day of November A. D. 19 72

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 1.79 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 a 132 acre circle in the NE1/4, Section 15, T125N, R76W

(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 Edwin Dale Vander Vorst

_____ of Mound City
the holder _____ and owner _____ of said permit No. 2119-3 a water right, dating from September 30, 1974
_____ to use of 1.79 cubic feet per second of the waters
of groundwater
in the County of Barpbell and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at
a point 589'S and 1270'W of the NE corner, Section 15, T125N, R76W

_____ a 132 acre circle in the NE 1/4, Section 15, T125N, R76W
and conduct to and upon _____

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2119-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of February seventy-eight A. D.
Nineteen Hundred and _____

WATER RIGHTS COMMISSION

By:

John Hatch JOHN HATCH
Chief Engineer, Executive Officer

Permit No. 2119-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Edwin Dale VanderVorst

_____ the holder _____ of
Permit No. 2119-3, issued upon Application No. 2119-3, bearing date of priority of September 30,
1974 authorizing the diversion of 2.1 cu. ft. per second of the waters of _____
ground water County of Campbell, State of South Dakota at _____
a point 580'S and 1270'W of the NE corner, Section 15, T125N, R76W
_____, 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 1.79 cu. ft. per second of water.

Date February 3, 1975

By:

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Cambell) ss.

I, William R. Bo-mersbach hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Prairie Picayune

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 Herreid

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

Oct. 10, 1974

Oct. 17, 1974

William R. Bo-mersbach
(Signature)

Publisher
(Title)

Nov. 2, 1974
(Date Signed)

Edwin Dale Vander Vorst whose
post office address is Mound
City, South Dakota, has made
an application in accordance
with the provisions of the water
laws of South Dakota for a per-
mit to appropriate for beneficial
use 2.1 cubic feet of water per
second of time from ground wa-
ter through the Vander Vorst
Irrigation Project No. 1, the
point of diversion of which is to
be located in the Center of the
NE $\frac{1}{4}$ of Section 15, Twp. 126N,
Range 76W. Said water to be
used for the purpose of provid-
ing irrigation on the following
described land:

NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SEC. 15, T126N, R76W

This application No. 2119-3
will be considered by the Water
Rights Commission at the Em-
bassy Room No. 1, at the Down-
town Holiday Inn, at Sioux
Falls, S. D. upon the 13th day
of November, 1974, at 2:30 P.M.
All interested persons may ap-
pear and be heard.

WATER RIGHTS
COMMISSION

Burton F. Jones

Water Rights Specialist

(Publ. Oct. 10 and 17, 1974)

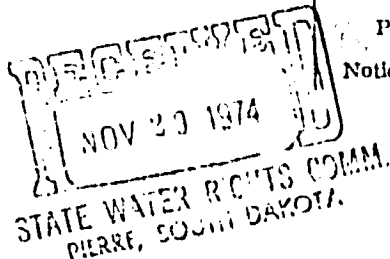
THE PRAIRIE PICAYUNE
Thursday, October 17, 1974

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501

September 20, 1974

Notice is hereby given that



No. 2119-3Publish first publication, on or before October 31, 19 74NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 30, 19 74Notice is hereby given that Edwin Dale Vander Vorstwhose post office address is Mound City, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use2.1 cubic feet of water per second of time from the ground water through the Vander Vorst Irrigation Project #1, the point of diversion of which is to be located in the _____Center of the NE $\frac{1}{4}$ of Section 15, Twp. 126N, Range 70W Said water to be used for the purpose

of providing irrigation on the following described land:

NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 13, T126N, R76W

2119-3 the Embassy Room #1, at the

Downtown This application No. _____ will be considered by the Water Rights Commission at the Embassy Room #1, at the
Holiday Inn, at Sioux Falls, S.D.
 there upon the 13th day of November, 1974, at 2:30 P. M. All interested
 persons may appear and be heard

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ BEJ/bw
 cc: Edwin Dale Vander Vorst, Mound City, S.D. 57646

Form 10.

No. _____



NOTICE OF COMPLETION OF CONSTRUCTION AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Mound City S.D.
Date Aug 1976

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2119-3

Water Right Permit No. 2119-3 states that the diversion system is to be constructed by oct 31, 19 76 and that the water is to be put to beneficial use by _____, 19____.

The diversion system was completed on Aug 1, 19 76. Applying the water to beneficial use was completed on Sept 1, 19 76.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Edwin O. K. K. K. K.
(Signature)

Edwin Lee, Jr., 1907

7-19-07

Model 1101, 12-11-11

Drawn by 11/17.

Unit capacity 11-11-11

Capacity 900 gpm

Oliver & Sons, Portland, Ore.

Motor, U.S. Steel

T.P. R-6326-11-11-11 (11-11-11)

75 HP

Pump, Oliver & Sons

8" PVC, 11-11-11

C.F. Olson

Model 102, 11-11-11

132 A.C.

Permit No. 2119-3Water Division 3 Missouri River Water District

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

TO: Water Resources Commission, State Office Building Rm. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Edwin Dale Vander Vorst of Mound City, South Dakota 57646 holder of Permit No. 2119-3, bearing date of priority of September 30, 1974 authorizing the diversion of 2.1 cu. ft. per second of the waters of Ground for Irrigation purposes, in Campbell 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:

Motor - U.S. Electrical, ID# R-6326-01-824-R2045271
75 H.P. Pumping 800 Gpm.
 Pump - (No name tag)

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

720 ft 8" dia. PVC 100 PSI pipe underground

C. Works used to apply water to beneficial use.

Center Pivot - Olson, Model 103, Ser # 3342.

The system is in the following condition: ExcellentThe point of diversion is located 580 ft South and 1270 ft West of the NE corner of Section 15, T125N R76WThe works are capable of diverting and conveying to the place of use 1.79cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All of Section 15, T125N R76W

NW 1/4 NE 1/4 - 33 Ac. NE 1/4 NE 1/4 - 33 Ac. SW 1/4 NE 1/4 - 33 Ac. SE 1/4 NE 1/4 - 33 Ac.

comprising a total of 132 acres of land.

Well Data: Depth 318 ft.
 Depth to water 30 ft.
 Draw down to 114 ft.
 capacity 1250 gpm.

Date October 7, 1977

Robert J. H. Hough
 (Signature)



Department of Water & Natural Resources

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

March 23, 1987

EDWIN DALE VANDERVORST
BOX 70
MOUND CITY, SD 57646

NOTICE

Re: Violation of Water Permit(s). 4310-3, 4705-3 and 1986
Irrigation
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4310-3, 4705-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 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). 4310-3, 4705-3 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). 2119-3 and 3803-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

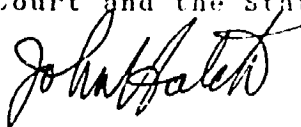
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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 hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4310-3, 4705-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 2119-3 and 3803-3 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.

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

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

NOTE: If the questionnaire(s) are received in this office before the 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

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

April 24, 1987

(2119-3)
3803-3
4310-3
4705-3

Edwin Dale Vander Vorst
Box 70
Mound City, SD 57646

Dear Mr. Vander Vorst:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 2119-3, 3803-3, 4310-3 and 4705-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

2/14-3

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

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

EDWIN DALE VANDERVORST
BOX 70
MOUND CITY, SD 57646

NOTICE

Re: Violation of Water Permit No(s). 4310-3, 4705-3 and 1987
Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4310-3, 4705-3. 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). 4310-3, 4705-3 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) 3803-3, 2119-3 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). 4310-3, 4705-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 3803-3, 2119-3 also held by EDWIN DALE VANDERVORST 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,

A handwritten signature in cursive script, appearing to read "John Hatch", with a horizontal line extending from the end of the signature.

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.



Department of Water & Natural Resources

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

February 10, 1988

2119-3
3803-3
4310-3
4705-3

Edwin Lale Vandervorst
Box 70
Mound City SD 57646

Dear Mr. Vandervorst:

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. 2119-3, 3803-3, 4310-3, 4705-3 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

3803-3
(2119-3)

DEC 22 1988

Edwin Dale ValderVorst
RR #1 Box 70
Mound City, SD 57646

Dear Mr. VanderVorst:

Enclosed is Water License No. 3803-3. This is the final water right document completing your process of obtaining a Water Right. The applicable portions of Water Right No. 2119-3 have been incorporated into Water License No. 3803-3.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3803-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

