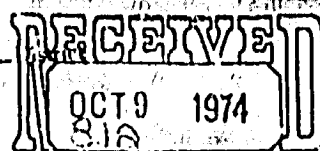


2122-3

1. Considered NOVEMBER 15, 1974
2. Name of Applicant JOHN L. WIERSMA
3. Post Office Address BROOKINGS
4. Amount of water claimed 1.10
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 79
7. Water to be diverted and used in BROOKINGS County
about 3 miles N of FIRCE
8. Proof of Publication Received 11-4-74
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1519-3 Water Division No. 3 BIG SIOUX RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT STATE WATER RIGHTS COMM PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

- Name of Applicant John L. Wiersma
Postoffice address RR #2 Breckings, State South Dakota
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract & direct labor
- Name of diversion work Wiersma Irrigation Project #1
- Amount of water claimed (cubic feet per second) 1.1
- Source of water supply well
- Location of point of diversion 2690' N 30° E of SW corner of sec 3.6
T11R R 51
- Annual period or periods during which water is to be used May through October
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 29

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.			
Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NW 1/4 of SW 1/4 sec 3.6</u>	<u>39</u>		
<u>NE 1/4 of SW 1/4 sec 3.6</u>	<u>40</u>		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Breckings Register
- Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
well with deep well turbine electrically driven

B. Works proposed to transport water to place of use.
surface closed conduit P.I.P.

C. Works proposed to apply water to beneficial use.

Gated Pipe

Estimated Total Cost \$12,000

Attachments: 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 Breckings ss.

I, John L. Wiersma 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.

Subscribed and sworn to before me this

Signed John L. Wiersma
day of September, 1974
John L. Wiersma
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2122-3
JOHN L. WIERSMA R.R. #2, BROOKINGS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57006 With the following modifications:
 (State)

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

Date of first receipt of application OCTOBER 9 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 106

WATER RIGHT PERMIT NO. 2122-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2122-3 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 OCTOBER 9 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13 19 77
3. The whole of said work is to be completed on or before NOVEMBER 13 ~~1979~~
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 19 82
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 1.1 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 82; said water to be used during the following described annual period: MAY THROUGH OCTOBER

Witness my hand this 19TH day of NOVEMBER 19 74

WATER RIGHTS COMMISSION

By: Donell W. Wiersma
 Chief Engineer, Executive Officer

Certificate of Construction Issued January 4 19 79

Water License Issued January 4 19 79



RECEIVED

SEP 20 1974

DEPT. OF NATURAL
RESOURCES

September 20, 1974

Dr. John L. Wiersma
Rural Route 2, Box 8
Brookings, SD 57006

Dear Dr. Wiersma:

The WI-1 form which you submitted on September 10 has been sent with a copy of this letter to the State Conservation Commission. I am recommending that the State Conservation Commission grant you a water use permit for the NE_{1/4} of the SW_{1/4} of Sec 36 T112N R51W.

This recommendation is being made even though a water sample does not accompany your WI-1. The water analysis of the nearest well which we have on record is that of Mr. Lyle Krogg in the NE_{1/4} of Sec 25 T12S R51W. This analysis is of a test hole 40 feet deep and shows a value for electrical conductivity of 320 micromhos/cm, a sodium adsorption ratio of 0.23 and no residual sodium carbonate in the sample.

It is my understanding that you believe the aquifer under the land you propose to irrigate is of the same character. It seems that this is very likely true.

I note that your memorandum to me states that the test hole caved in before a sample of water could be obtained and this is the reason given for not submitting a sample. I'm transmitting this information herewith to the State Conservation Commission.

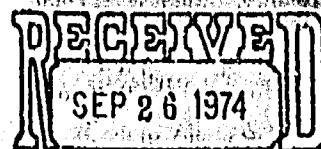
Sincerely yours,

L. O. Pine

L. O. Pine
Water Quality Lab

LOF:lll

CC: State Conservation Commission
Al Aho, Brookings County Agent
Darrel Pahl



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soil Capability: _____

Approved: [Signature]
8/25/70

Disapproved: _____

NAME: John L. Wiersma
ADDRESS: RR #2 Box 8 Brookings S. Dakota 57006
COUNTY: Brookings

LEGAL DESCRIPTION

1. WELL LOCATION: Center of N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec 36 Twp 112 R. 51
2. AREA TO BE IRRIGATED: N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec 36 Twp 112 R. 51

TYPE OF IRRIGATION

3. GRAVITY Field Piped SPRINKLER (Indicate Type): _____
4. CROPS TO BE IRRIGATED: Row crops mainly corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 2% to nearly level
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Estill silt and

Fordville loam - See photo of it at Brookings Co Soil Survey Ex. St. Bull 468

- WATER QUALITY (To Be Completed by Commission)
7. SAMPLE NO: 71-606 (Lyle Knogh, Bruce, S.D. SE $\frac{1}{4}$ Sec 25, 112-51, 1971 sample)
8. SALINITY: EC = 828 micromhos/cm (medium-high)
9. SODIUM: SAR = 0.28 (Low)

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

Soil. Survey - Brookings Co. - Exp. Sta. Bulletin H 468

and:

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

John L. W. [Signature]

Subscribed and sworn before me this

9th day of September 1974.

Green [Signature]

Notary Public

(Title)

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

Lyle Krogh
Brooks, S. Dak.

Date Rec'd Sept. 1, 1971
Sample No. 71-506
Identification Test Well #1-40
384, Sec. 25, T.112N, R.51W

WATER ANALYSIS			
Calcium	(Ca)	135 ppm*	6.75 meq/l**
Magnesium	(Mg)	31 ppm	2.61 meq/l
Sodium	(Na)	14 ppm	0.60 meq/l
Potassium	(K)	4 ppm	0.10 meq/l
Sulfate	(SO ₄)	226 ppm	4.70 meq/l
Nitrate	(N)	ppm	meq/l
Chloride	(Cl)	5 ppm	0.14 meq/l
Iron	(Fe)	ppm	meq/l
Fluoride	(F)	ppm	meq/l
Hardness (EDTA as CaCO ₃)		469 ppm	27 g.p.g.***
Alkalinity (MO)		246 ppm (as CaCO ₃)	
Alkalinity (P)		0 ppm (as CaCO ₃)	
Electrical Conductivity		328 micromhos per cm ² at 25°C.	
Sodium Adsorption Ratio		0.28	
Sodium		5.95 % of cations	
Residual sodium carbonate		0 meq/l	
pH		7.67	
Others: Total Cations		10.08	
Total anions		9.75	

*ppm=parts per million

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

**meq/l=milli-equivalents per liter

COMMENTS:

By: Shirley Hittan

Service Performed	Amount Due
Irrigation Analysis	\$4.00 PAID

Make checks payable to: Water Resources Research Institute

Cut along dotted line and return the lower portion with payment

Amount Enclosed \$

Sample No.

Signed

BEST IMAGE POSSIBLE
FROM POOR ORIGINAL

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 22", Depth 42'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 12" Thickness 1/4"
- (3) Perforated Screen.
Type Johnson Irrigator, Diameter 12", Length 12'
- (4) Gravel Pack, Thickness 3 1/2", Length of gravel pack 20'

E. Dugout Information or Estimates.

- (1) Surface dimensions N 4, Depth N 1

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 See enclosed soil analysis
typical of bottom 20' of water bearing material
Material from 18 to 22' below surface is
Slightly Siner

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 42'

Thickness of water bearing material 3.0

Depth to water (ground surface to water level) 10'

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

On same owner's property None rds. On property owned by others 200 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.

John Sedgewick
Signature of Applicant

Permit No. 2122-3Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John Wiersma

_____ the holder _____ of
 Permit No. 2122-3, issued upon Application No. 2122-3, bearing date of priority of _____
October 9, 1974 authorizing the diversion of 1.1 cu. ft. per second of the waters of _____
groundwater (one well) County of Brookings, State of South Dakota & R# _____
2175 feet North 2 1/4° 30' East of the SE corner, Section 36, T112N, R51W

_____, 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 1.07 cu. ft. per second of water.

Date January 4, 1979

By: WATER RIGHTS COMMISSION
John Hatch
 JOHN HATCH, Chief Engineer

WATER LICENSE NO. 2122-3.

(1) WHEREAS, On the 9th day of October A. D. 19 74
John Wiersma

made Water Right Application No. 2122-3 for a permit to use 1.1 cubic feet per second of the waters
 of groundwater (one well)
 County of Brookings State of South Dakota, for Irrigation
 purposes; and

(2) WHEREAS, On the 13th day of November A. D. 19 74
 Permit No. 2122-3, with a date of priority of October 9, 1974

was issued to said applicant for the diversion of said water, and provided for the completion of construction of a water
 supply system therein described on or before the 13th day of November A. D. 19 79 and for the
 application to beneficial use of said water on or before the 13th day of November A. D. 19 82

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 1.0 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.

to irrigate portions of the following lands all in Section 36, T112N, R51W as
follows:

NW 1/4 SW 1/4 35 acres

NE 1/4 SW 1/4 35 acres

TOTAL 70 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, John Wiersma

_____ of Brookings, South Dakota
the holder _____ and owner _____ of said permit No. 2122-3 a water right, dating from October 9, 1974
_____ to use of 1.0 cubic feet per second of the waters
of groundwater (one well)
in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted xx 2175 ft. North 24° 30' East of the SE corner,
Section 36, T112N, R51W

and conduct to and upon portions of land in Section 36, T112N, R51W, more fully
described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2122-3 and subject to the laws of the State of South Dakota.

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

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

No. 2122-3

Publish first publication, on or before October 31, 1974

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 11, 1974

Notice is hereby given that John L. Wiersma

whose post office address is Brookings, 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 use

1.1 cubic feet of water per second of time from the ground water through the Wiersma Irrigation Project #1, the point of diversion of which is to be located in the

NE 1/4 SW 1/4

of Section 36, Twp. 112N, Range 51W. Said water to be used for the purpose of providing irrigation on the following described land:

N 1/2 SW 1/4, Section 36, T112N, R51W

This application No. 2122-3 will be considered by the Water Rights Commission at the Embassy Room #1 at the Downtown Holiday Inn at Sioux Falls, S.D. ~~at its office at~~
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/bv

cc: John L. Wiersma, R.R. #2, Brookings, S.D. 57006

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

i. James M. McLellan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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 Brookings

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

October 24, 1974

October 31, 1974

James M. McLellan Jr.
(Signature)
General Manager
(Title)
Nov 1, 1974
(Date Signed)

Legal No. 68- Oct. 24, 31
NOTICE
INTENT TO
APPROPRIATE WATER
JAMES M. McLELLAN JR. 1974
BROOKINGS, SOUTH DAKOTA
application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate for
beneficial use with the provisions of the
water laws of South Dakota for a
permit to appropriate for beneficial
use 1.1 cubic feet of water per second of
time from ground water through the
Wiersma Irrigation Project No. 1, the
point of diversion of which is to be
located in the NE 1/4 SW 1/4 of Section 36,
Twp 112N, Range 51W. Said water to
be used for the purpose of providing
irrigation on the following described
land: NE 1/4 SW 1/4, Section 36, T112N, R51W.
This application No. 2122-3 will be
considered by the Water Rights
Commission at the Embassy Room No.
1 at the Downtown Holiday Inn at Sioux
Falls, S.D. 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

RECEIVED
NOV 4 1974
STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

21773 John Skerena
 5-11-78 Motor Oil
 Model 5469 M501B
 Ser. # 8 M0974324 110040
 Pump - 110040
 400 lbs. oil

21773 John Skerena
 5-11-78 Motor Oil
 Pumping 480 gpm capacity 1000
 at 110040
 1300 ft 6" pipe

Permit No. 2122-3Water Division 3 Big Sioux River Water DistrictREPORT 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 John Wiersma
 of RR #2, Brookings, South Dakota 57206 holder
 of Permit No. 2122-3, bearing date of priority of October 9, 1974
 authorizing the diversion of 1-1 cu. ft. per second of the waters of one Well
 for Irrigation purposes, in Brookings 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 - General Electric, Model 5K 6238X M501B
Ser # JMJ 929324. 50 HP 1752 RPM.
Pump - Western Land Roller, Pumping 480 gpm.

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

1320 ft 6" PVC Pipe

C. Works used to apply water to beneficial use.

Center Pivot, covers 35 Ac.
C-P. Moved between pads.

The system is in the following condition: _____

The point of diversion is located 21.75 ft N 24 1/2° E of the SE corner of
Section 36, T112 N R 51 W

The works are capable of diverting and conveying to the place of use 1.07cu. 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 36 T112 N R 51 W
N 1/2 S 1/2 - 35 Ac. N E 1/4 S 1/2 - 35 Ac.

comprising a total of 70 acres of land.

Well Depth 43 ft.
To water 16 ft.
Pumping 480 gpm
Capacity 1050 + gpm

Date December 21, 1978

Leif J. Wiersma
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6677

PIERRE, January 4, 1970

RECEIVED OF John L. Wiersma, RR #2, Brookings, SD 57006
the following amount in fees for services rendered as provided for by law.

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. (2122-3)	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. (2122-3)		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH 97

July 5, 1978

John Wiersma
Box 8
Brookings, SD 57006

Dear Dr. Wiersma:

On June 27, 1978, LeRoy Marnaugh checked the location of the well of Duane Pankratz, Permit No. 4087-3. The well as approved was to be located in the SE corner of the NW $\frac{1}{4}$ of Section 36, T112N, R51W. The inspection indicates that he has located his well 330 ft. West of the proposed location. This meets the requirements of the Water Rights Commissions policy on the location of wells and conforms to the qualifications as stated on the permit.

If interference between wells occurs, Permit No. 4087-3 must control his irrigation withdrawals so there is not a reduction of needed water supplies in wells having prior water rights.

For your information this approved permit allows the irrigation on only the SE NW $\frac{1}{4}$ of Section 36, T112N, R51W consisting of 80 acres with a maximum withdrawal of 1.1 cfs.

Please advise this office of any additional questions.

Sincerely,

James Winterton
Water Resources Engineer III

JW:pin

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

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

January 29, 1988

JOHN L WIERSMA
RR #2
BROOKINGS, SD 57006

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). 2122-3, 3921-3. 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 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). 2122-3, 3921-3 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 23, 1988

2122-3
3921-3

John L. Wiersma
RR 2
Brookings SD 57006

Dear Mr. Wiersma:

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. 2122-3, 3921-3 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

February 8, 1989

JOHN L. WIERSMA
RR #2
BROOKINGS, SD 57006

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 2122-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Amend Permit No(s). 2122-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

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

March 7, 1989

2122-3

John L. Wiersma
RR #2
Brookings, SD 57006

Dear Mr. Wiersma:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 2122-3. A letter containing the information for your questionnaire was received from Lawrence Vander Wal. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

cc: Lawrence Vander Wal, RR #2 Box 310, Bruce, SD 57220

2122-3



2-22-89

Department of Water and Natural Resources

Dear Sir.

This is the amount of water used in 1988
to irrigate corn and alfalfa on John L. Wiersmas
land in Brookings County, Preston township T-112-N
R-51-W, Section 36 N $\frac{1}{4}$ of the SW $\frac{1}{4}$

The permit No is 2122-3

Electricity was used for the power supply

12 Center pivot irrigation system

May corn	500gpm	1 day	16 hrs	64,171 cubic feet
May alfalfa	500gpm	5 days	Pumping 20 hrs ^{day} per	401,070 cu. ft.
June alfalfa	500gpm	5 days	" 20 " "	401,070 cu. ft.
June corn	500gpm	10 days	" 15 " "	601,604 cu. ft.
July alfalfa	500gpm	13 $\frac{1}{2}$ days	" 20 " "	1,082,887 cu. ft.
July corn	500gpm	8 days	" 20 " "	641,711 cu. ft.
August corn	500gpm	11 days	" 20 " "	882,352 cu. ft.

1,016 hrs pumping

4,074,865 cubic feet of water

35 acres of alfalfa irrigated

35 acres of corn irrigated

John L. Wiersma was unable to find the
form letter for me to report the water used.

Sorry we are late in reporting the water used

Very truly yours

Lawrence Vander Wal

RR 2 Box 310

Bruce, South Dakota

Water Management Board Irrigation Questionnaire

Permit No (2122-3)

John L. Wiersma

N 1/2 SW 1/4 Sec 35 T112N R 51W



No 1 = ground water

No 2 = Yes we irrigated in 1991

No 3 = 70 acres

No 5 + 7 = we apply 28-0-0 Liquid Nitrogen fertilizer through the irrigation system

Electric motor with 1 center pivot

Did not irrigate in April, May, June and ^{September} October

July

11 days 14 hours per day 500 gallons per minute

Alfalfa 36 acres 1,538,000 gallons

Corn 34 acres 3,082,000 gallons

August

10 days 13 hours per day 500 gallons per minute

Corn 34 acres 3,900,000 gallons

Questionnaire filled out by

Lawrence Vander Wal

RR 2 Box 310

Bruce, South Dakota 57220

605-627-9295

SD EForm - 0495 V1 NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 2122-3

Date: 3/30/2004

I/We request that Water Right/Permit No. 2122-3 formerly owned by:
John Wiersma, #1815 8865 E Baseline, Mesz AZ 85208 be transferred to:

New Owner Name: Kent Vanderwal
Address: 20513 465th Ave
City, State, Zip Bruce SD 57220 Telephone No. 627-9186

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

NW1/4 SW1/4 sec 36-T112N-R51W -- 35 ac
NE1/4 SW1/4 sec 36-T112N-R51W -- 35 ac

☒ I understand that the validity of Water Right/Permit No. 2122-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Kent Vanderwal, the new owner, certify that the above information is true and correct.

Kent Vanderwal
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 14, 2004

RECEIVED OF Kent VanderWal, 20513 435th Ave. Bruce SD 57220

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2 50	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2122-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

By

David Erbe

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 14, 2004

2122-3

Kent VanderWal
20513 465th Ave
Bruce SD 57220

Dear Mr. VanderWal:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee you submitted for Water Right No. 2122-3. The transfer has been completed. The water right formerly listed in the name of John Wiersma is now listed in your name.

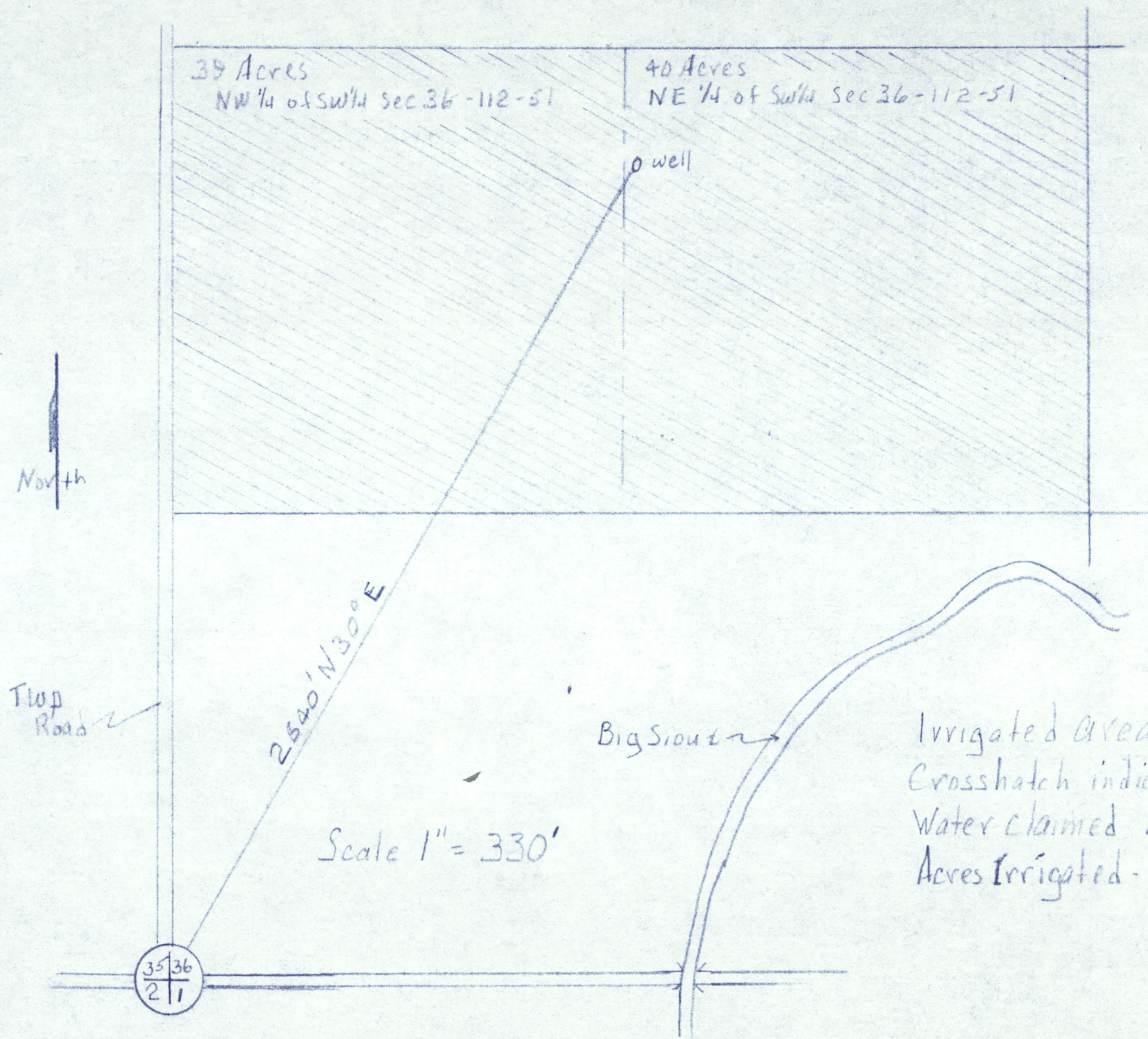
Each year in October, we mail out the annual irrigation questionnaire. Enclosed is a sample copy for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season. I have included a copy of Water Right No. 2122-3 which will outline the acreage authorized for irrigation.

Also enclosed is your Receipt No. 001287 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



John L. Wiersma Owner

John L. Wiersma
Irrigation Project
Brookings South Dakota
Brookings Co

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that this map identifies a reasonably accurate record of the land of:

John L. Wiersma

Brookings South Dakota Brookings Co
Drawn by J.L.W.
John L. Wiersma P.E. # 1916
9-12-74

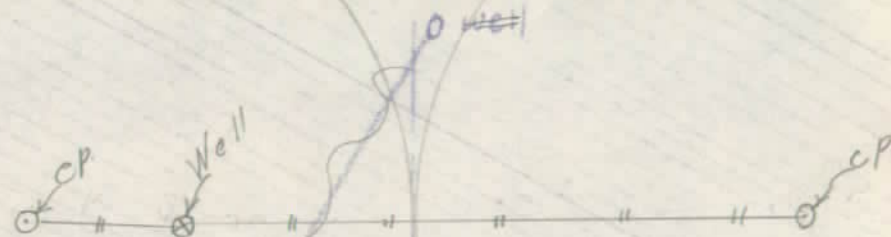
MAP NO 1519-3 (APPL NO 2122-3)

North

Top Road

Acres
NW 1/4 of SW 1/4 Sec 36-112-51
35 Ac.

Acres
NE 1/4 of SW 1/4 Sec 36-112-51
35 Ac.



cross 35 acre setting

N 24 1/2° E
2175'

Scale 1" = 330'

Big Sioux

Irrigated area NW 1/2 of SW 1/4 Sec 36-112-51
Crosshatch indicates irrigated area
Water claimed 1.1 cfs
Acres Irrigated - 79

John L. Wiersma Owner

John L. Wiersma
Irrigation Project
Brookings South Dakota
Brookings Co

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that this map identifies a reasonably accurate record of the land of:

John L. Wiersma

Brookings, South Dakota Brookings Co
Drawn by John L. Wiersma
John L. Wiersma
P.E. # 7916
9-12-74

MAP NO. 151933 APPL NO. 2122-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 24 2009

2122-3

Kent VanderWal
20513 465th Ave
Bruce SD 57220

Dear Mr. VanderWal:

Enclosed is Reissued Water License No. 2122-3. The original license was issued with an error in the legal description of the well location. The water license is being reissued to correct the error. Also, included with your license is a map prepared by the staff engineer who conducted the investigation of Water Right No. 6702-3 which utilizes the same well as authorized by this water right and allows the pivot to make a $\frac{3}{4}$ rotation.

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. 2122-3, 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 Reissued 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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
REISSUED
WATER LICENSE NO. 2122-3

(1) John Wiersma was issued Water License No. 2122-3, January 4, 1979 for a right to appropriate 1.0 cubic feet of water per second from groundwater (one well), Brookings County, South Dakota for irrigation purposes. Water Right No. 2122-3, with a priority date of October 9, 1974 was issued to the permit holder for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

On April 14, 2004, Water Right No. 2122-3 was transferred to Kent VanderWal, 20513 465th Ave, Bruce SD 57220.

The original license was issued with an error in the legal description of the well location. The water license is being reissued to correct the error. The map prepared by a staff engineer at the time of inspection indicated the correct well location.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2122-3 is reissued a license, bearing a priority date of October 9, 1974 to appropriate 1.0 cubic feet of water per second from groundwater (one well) to irrigate 70 acres.

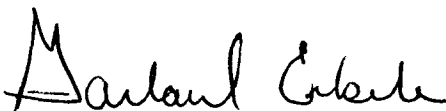
The diversion point is located: 1,975 feet north and 890 feet east of the southwest corner of Section 36-T112N-R51W (NW ¼ SW ¼). *Water Right No. 6702-3 utilizes the same well for irrigation of the SW ¼ SW ¼ which allows the pivot to make a ¼ rotation.*

The acres authorized for irrigation are as follows:

Section 36-T112N-R51W NW ¼ SW ¼ 35 acres NE ¼ SW ¼ 35 acres

(3) This reissued license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2122-3 including the following now applicable qualification:

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



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

SEP 24 2009

date

