

Considered

WATER PERMIT NO. 2320A-3

HAP No. _____

Name of Applicant Ernest Namminga

Post Office Address RR#1 Box 171 Springfield SD 57062

Amount of Water Claimed no add'l (4.4) Total Acres no add'l (303 acres)

Source of Water Supply groundwater

Water to be used for irrigation County Bon Homme

About 4 1/2 miles W of Kingsburg

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.C.C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 2/4/90 Fee 50.00 Remarks change of diversion point (amendment)

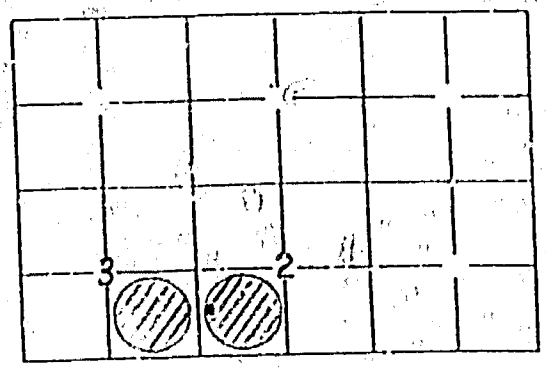
Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point 1450' N3°E from SW corner of Section 2 T93N-R61W
(NW 1/4 SW 1/4 Sect. 2 T93N-R61W)

Land to be Irrigated SE 1/4 Sect. 3 T93N-R61W
SW 1/4 Sect. 2 T93N-R61W



Well Log: Driller Vant Hul & Sons Licensed YES _____ NO _____

Depth of Well 220' REMARKS _____

Type of Map Aerial PREPARED BY Ken Butler Reviewed and the Number assigned on April 5, 1990 By Eric Threland

Pub'Day (W) Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352
RB

(See instructions)

No. 2320A-3 Hydrologic Unit 10170101
Basin Missouri
Newspaper Springfield Times Box 365 57068

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
(see Water Right #2320-3)

Name of Applicant Ernest R. Nanninga Phone No. 286-3873
Post Office Address RR #1, Box 171, Springfield State SD Zip Code 57062
(Street, RR or Box) (City)

- Amount of water claimed (c.f.s) no add'l Total acres irrigated no add'l
- Source of Water supply groundwater
- Location of point of diversion 1450 feet N30E from the SW corner of Sec. 2, T93N-R61W
(SW 1/4 SW 1/4 NW 1/4 SW 1/4 Sec. 2, T93N-R61W)
- County Bon Homme
- Counties where water will be used Bon Homme
- Annual period during which water is to be used April 1 - October 31
- 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.
~~from Water Right #2320-3~~		NW 1/4 SW 1/4 Sec. 2-T93N-R61W	32
NW 1/4 SE 1/4 Sec 3-T93N-R61W	32	NE 1/4 SW 1/4 " "	35
NE 1/4 SE 1/4 " "	32	SW 1/4 SW 1/4 " "	31
SW 1/4 SE 1/4 " "	32	SE 1/4 SW 1/4 " "	32
SE 1/4 SE 1/4 " "	22		

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: x Gun: _____ Other: _____ (Specify)
- Crops to be Irrigated: corn and beans
- Give a description of proposed project. (Attach sheet if more space is needed)
irrigation system as described in the report of Examination of Works and /or Application of Water to Beneficial Use for Permit No. 2320-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Bon Homme) ss

I, Ernest R. Nanninga, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Ernest R. Nanninga

Subscribed and sworn to before me this 2nd day of April 19 90

Charles H. Thompson
Notary Public

REPRODUCTION OF THIS DOCUMENT IS PROHIBITED
ROLL NO. 10-2-2
DATE MICROFILMED
CAMERA OPERATOR

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 12 in., Depth 300 ft.

(2) Casing, Type steel (wood, concrete, steel, etc), Diameter 10 in, Thickness _____

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, 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 glacial out wash sand
and gravel deposits.

Depth to top of water bearing material 275 ft.

Depth to bottom of water bearing material 325 ft.

Thickness of water bearing material 50 ft.

Depth to water (ground surface to water level) 275 ft.

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

On same owner's property 70 rds. On property owned by others 230 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.

**SOUTH DAKOTA
WATER PERMIT NO. 2320A-3 FOR IRRIGATION**

Date of first receipt of application April 4, 1990.

Date Soil Water Compatibility Permit received November 14, 1984.

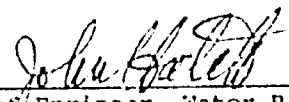
The Water Management Board approved Water Permit Application No. 2320A-3 on July 25, 1990 for Ernest R. Narminga, RR #1, Box 171, Springfield, SD 57062 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2320A-3 authorizes a change in the point of diversion by amending Water Permit No. 2320-3. Water Permit No. 2320-3 appropriates 4.3 cubic feet of water per second (cfs) from one well (Choteau - West Aquifer) located in the center of the SW1/4 Section 2 T93N-R61W to irrigate 248 acres. The land to be irrigated is located in the SW1/4 Section 2 and the SE1/4 Section 3; all in T93N-R61W. This Permit amends Permit No. 2320-3 to change the point of diversion to the NW1/4 SW1/4 Section 2 T93N-R61W. Permit No. 2320A-3 does not authorize any increase in the diversion rate in addition to the 4.3 cfs authorized by Permit No. 2320-3.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is August 4, 1975.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

NOV 7 1990
(date)

Water Rights Division - DWR
Conversation or File Documentation

File No. _____

NAME OF PERSON OR FILE: Ernest Nimmings

ADDRESS: _____ COUNTY _____

DATE: 4/9/90 TELEPHONE _____

RE: _____

COMMENTS:

Jim Setukel called and confirmed that the S/W
permit was still valid with the acreages listed
in the from the inspection

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: Eric Henshaw

Y109
2379-3

1. NAME Ernest R. Nammi

OWNER'S ADDRESS RR 1, Box 171

Springdale, SD 57063

PHONE 665-970 3573

2. WHERE LOCATED IN DISTRICT AND ADDRESS

3. LEGAL DESCRIPTION (Show Legal Description to Nearest 10 Acres)
LEGAL LOCATION SE 1/4 2-23-61

4. WATER SOURCE AND DIVERSION LOCATION

Legal Description	Acres	Legal Description	Acres
SE 1/4 2-23-61	13.2		
SW 1/4 2-23-61	13.2		

5. IF ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT, YEAR OBTAINED 1977
LEGAL DESCRIPTION SE 1/4 2-23-61, SW 1/4 2-23-61

6. WHAT NAME ERNEST R. NAMMI ALGA

7. LOCATION OF AREA TO BE IRRIGATED NOTE SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

8. TYPE OF IRRIGATION: GRAVITY _____ TOWLINE _____ CENTER PIVOTS ☒ GUN: _____
9. CROPS TO BE IRRIGATED _____ OTHER: _____ (Specify)

WATER QUALITY (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)	
7. WATER SAMPLE NUMBER	75 092
10. ADJUSTED (SAR)	
8. SALINITY (EC X 10 ³)	1576
11. PERCENT SODIUM	1355
9. SODIUM (SAR)	1.07

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____
by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (48-5-6.4)

SUBSCRIBED AND SWORN BEFORE ME THIS
11 DAY OF September, 1984
Notary Public

Ernest R. Nammi
APPLICANT'S SIGNATURE

John R. Felt
Director, Division of Conservation

11-9-84
Date

APPROVED
DISAPPROVED
CONDITIONALLY APPROVED
Conditional soil/water permits will be returned by the Department of Agriculture with the County Register of Deeds.

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases, WATER RIGHT must be obtained from the Board of Water Management, First Building, Pierre.

REPORT FOR APPLICATION No. 2320A-3 to
AMEND WATER PERMIT No. 2320-3
ERNEST R. NAMMINGA
JUNE 1, 1990

Application No. 3582A-3 proposes to correct the location of an existing irrigation well. Water Permit No. 2320-3 appropriates 4.3 cubic feet of water per second (cfs) from one well to be located near the center of the SW 1/4 Sec. 2, T93N-R61W. The permit authorizes irrigation of 248 acres in the SW 1/4 Sec. 2, and the SE 1/4 of Sec. 3, all in T93N-R61W. This application proposes to amend Permit No. 2320-3 to change the point of diversion to the NW 1/4 SW 1/4 of Sec. 2, T93N-R61W. This amendment is the result of an inspection to license Water Permit No. 2320-3. No increase in the diversion rate is authorized by this application.

The well used to supply water to this irrigation system (Water Permit Nos. 2320-3 and 2320A-3), is completed into the Choteau-West (CH-W) Aquifer. The original advertisement specifies the location of this well was to be the center of the quarter. The well was constructed approximately 1270 feet from the center of the quarter. The well has been in existence since 1976 with no reported controversy.

CONCLUSIONS:

1. This application was filed following an inspection of Water Permit No. 2320-3, and will correct the discrepancies that exist between the system proposed in the application and the constructed system.
2. This application does not authorize an increase in appropriation from the Choteau-West Aquifer.

Ken Buhler /KS
KEN BUHLER
Natural Resources Engineer

approved by

James A. Goodman
JAMES A. GOODMAN, P.E.
Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2320A-3, Ernest R. Namminga

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2320A-3, Ernest R. Namminga, RR 1, Box 171, Springfield SD.

The Chief Engineer is recommending APPROVAL of Application No. 2320A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
June 1, 1990



Department of Water & Natural Resources

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

June 19, 1990

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

Ernest R. Hamminga
RR #1 Box 171
Springfield, SD 57062-9613

Dear Mr. Hamminga:

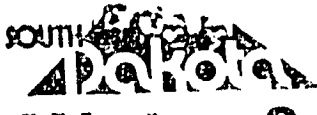
Water Permit Application No. 2320A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Times printed at Springfield SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
June 19, 1990

Springfield Times
Box 365
Springfield, SD 57062

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 2320A-3 to be published twice. Please publish the first notice on or before June 27, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Ernest R. Namminga, RR #1 Box 171, Springfield, SD 57062.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

No. _____

Date _____

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

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before June 27, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2320A-3
to Amend Water Permit No. 2320-3

Notice is given that Ernest R. Hamminga, RR #1 Box 171, Springfield, SD 57062-9613 has filed an application for a water permit to amend Water Permit No. 2320-3. Water Permit No. 2320-3 authorizes an appropriation of 4.3 cubic feet of water per second (cfs) from one well (Choteau - West Aquifer) located in the center of the SW1/4 of Section 2-T93N-R61W. Water is used to irrigate 248 acres in the SW1/4 of Section 2 and the SE1/4 of Section 3; all in T93N-R61W. This application proposes to amend Permit No. 2320-3 to change the point of diversion to the NW1/4 SW1/4 of Section 2-T93N-R61W. This application does NOT authorize any increase in the diversion rate in addition to the 4.3 cfs authorized by Permit No. 2320-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2320A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E Capitol, Pierre SD on July 25, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

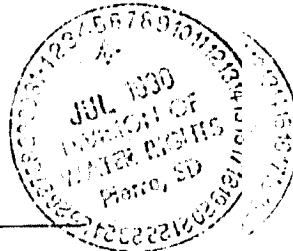
Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Brown) ss.I, Wayne L. Butchercertify that the attached printed Notice was taken
from the Springfield TimesA newspaper which during the whole time of publication of
said notice herein after stated, has been and is printed and
published in the Cityof Springfield
County of Brown and State of South Dakota;
that the said notice was published in said newspaper on the
following two dates:June 27, 1990July 7, 1990Wayne L. Butcher
(Signature)Publisher
(Title)7-4-90
(Date Signed)NOTICE OF HEARING on Application No. 2320A-3
to Amend Water Permit No. 2320-3

Notice is given that Ernest R. Namdinga, R/R #1 Box 171, Springfield, SD 57062-9613 has filed an application for a water permit to amend Water Permit No. 2320-3. Water Permit No. 2320-3 authorizes an appropriation of 4.3 cubic feet of water per second (cfs) from one well (Choteau - West Aquifer) located in the center of the SW1/4 of Section 2-T93N-R61W. Water is used to irrigate 248 acres in the SW1/4 of Section 2 and the SE1/4 of Section 3; all in T93N-R61W. This application proposes to amend Permit No. 2320-3 to change the point of diversion to the NW1/4 SW1/4 of Section 2-T93N-R61W. This application does NOT authorize any increase in the diversion rate in addition to the 4.3 cfs authorized by Permit No. 2320-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2320A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E. Capitol, Pierre, SD on July 25, 1990 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) deny or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352). The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-2, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02.01.01 thru 74:02.01:15

Publish June 27 & July 4

Cost of Printing: 279 - 94 lines @ 26.2 - 1st wk - 2 24.37-4-90 - 94 lines @ 26.2 @ 30.0 - 1st wk - 11 17.702nd wk total 59.44 43

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, Marc April 5

1990

RECEIVED OF Ernest R. Hamminga, RR #1 Box 171, Springfield, SD 57062
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 23204-3 to Appropriate Water, to construct works and to put water to beneficial use

50 00

Fee for Application for Permit No. to Appropriate Water for Future Use

Fee to retain Future Use Permit No. after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.

Fee for Filing Transfer Form

Fee for Filing Extension Request

Fee for Certified Copy of

Fee for Print Copy of Map

Fee for Certifying

Fee for (Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2320A-3

(1) Ernest R. Namminga of RR #1 Box 171, Springfield SD 57062 made Application No. 2320A-3, April 4, 1990 for a water permit to appropriate no add'l cubic feet of water per second from groundwater (one well), Bon Homme County, South Dakota for irrigation purposes. Permit No. 2320A-3 with a priority date of August 4, 1975 was approved July 25, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 2320A-3 authorized a change in the point of diversion described in Water Permit No. 2320-3. No. 2320A-3 did not authorize an increase in the diversion rate or acres irrigated.

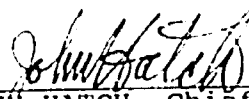
The applicable portions of Water Permit No. 2320-3 have been incorporated into this Water License No. 2320A-3. A priority date of August 4, 1975 is retained.

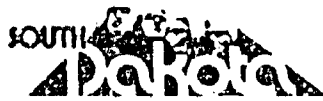
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is: 1450 feet N 3° E from the SW corner of Section 2, T93N, R61W (NW1/4 SW1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T93N, R61W Section 3	NW1/4 SE1/4	32	acres
	NE1/4 SE1/4	32	"
	SW1/4 SE1/4	32	"
	SE1/4 SE1/4	22	"
Section 2	NW1/4 SW1/4	32	acres
	NE1/4 SW1/4	35	"
	SW1/4 SW1/4	31	"
	SE1/4 SW1/4	32	"
	Total	248	acres

(4) Pursuant to Section 46-5-30.1 Ernest R. Namminga of RR #1 Box 171, Springfield SD 57062 the holder(s) and/or owner(s) of Incorporated No. 2320A-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of August 4, 1975 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated No. 2320A-3 and subject to South Dakota State Law.

 NOV 7 1990
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources



Department of Water & Natural Resources

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

2320A-3

NOV 7 1990

Ernest R. Namminga
RR #1 Box 171
Springfield SD 57062

Dear Mr. Namminga:

Enclosed is Water Permit No. 2320A-3 and Water License No. 2320A-3. These are the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412153 in the amount of \$50.00 which you paid for the inspection and issuance of the water license.

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

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 2320-3 have been incorporated into this Water License No. 2320A-3.

South Dakota

2320A-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 1, 1991

ERNEST R HAMMINGA
RR 1 BOX 171
SPRINGFIELD SD 57062

NOTICE

RE: Violation of Water Permit No(s) 2320A-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2320A-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 2320A-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

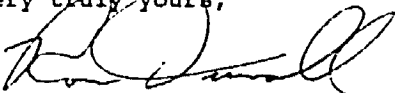
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 2320A-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one 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 February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)

2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

ERNEST R NAMMINGA
RR 1 BOX 171
SPRINGFIELD SD 57062

4. Article Number
P 694 057 431

Type of Service:

☐ Registered ☐ Insured
☒ Certified ☐ CCD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *Ernest R Namminga*

6. Signature - Agent
X *Ken L. Myers*

7. Date of Delivery
FEB 2 - 91

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

PS Form 3811, Apr. 1989 U.S.G.P.O. 1563 238-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 7, 1991

2320A-3

Ernest R Namminga
RR #1 Box 171
Springfield, SD 57062

Dear Mr. Namminga:

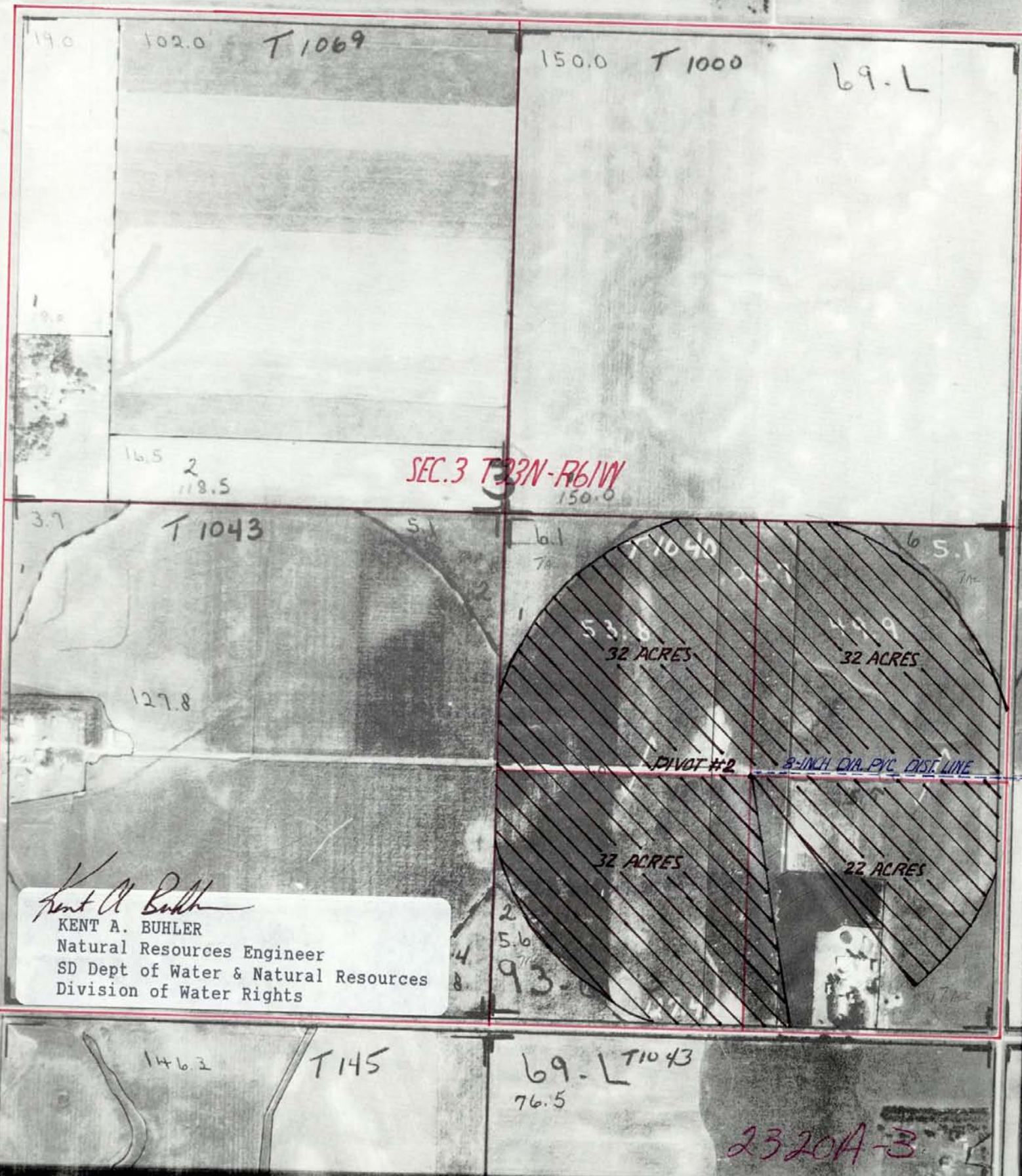
I am writing to acknowledge receipt of your 1990 irrigation questionnaire and chemical application use for Water Permit No. 2320A-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

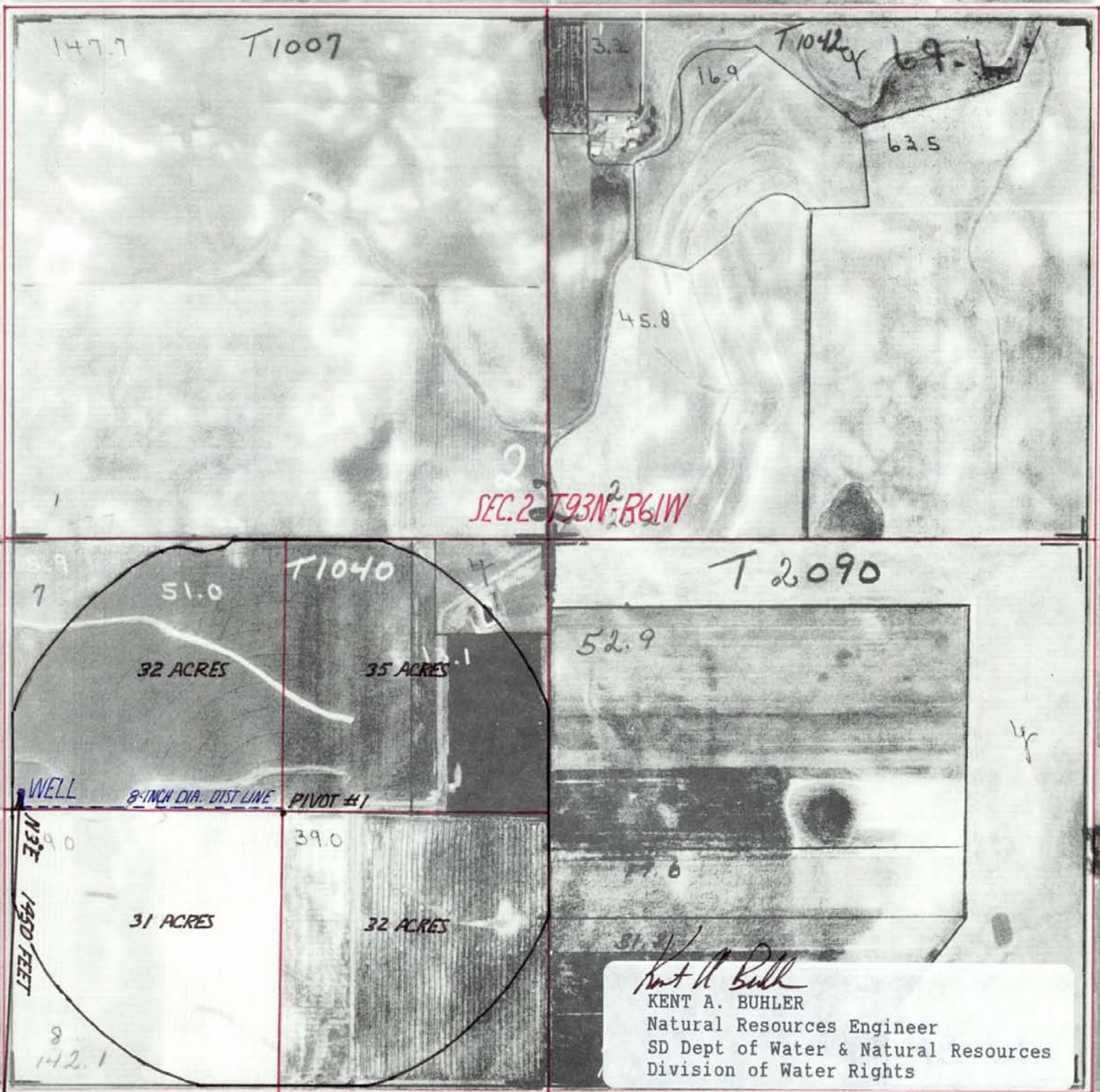
Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

NOT TO SCALE



NOT TO SCALE



Kent A. Buhler

KENT A. BUHLER
Natural Resources Engineer
SD Dept of Water & Natural Resources
Division of Water Rights

151.5 T1076

153.0 69-L
T1075

2320A-3



2320A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: ERNEST R NAMMINGA, 40786 310TH ST, SPRINGFIELD, SD 57062 6220
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2320A-3, 6373-3 & 6920-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2320A-3, 6373-3 & 6920-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 2320A-3, 6373-3 & 6920-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 3, 2016

2320A-3
6373-3
6920-3

Ernest R Namminga
40786 310th St
Springfield SD 57062-6220

Dear Mr. Namminga:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 2320A-3 and Permit Nos. 6373-3 and 6920-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. 2320A-3

August 21, 2020

Ernest R Namminga
40786 310th St
Springfield SD 57062-6220

Dear Mr. Namminga:

The irrigation season is in full swing. This has led to the Department of Environment and Natural Resources (DENR) fielding inquiries regarding end gun overspray on to roads.

DENR has received an inquiry alleging the irrigation system located in the SW 1/4 Section 2-T93N-R61W had irrigation water from the end gun hitting the road. This irrigation system is covered by Water Right No. 2320A-3 with you listed as the owner.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at ron.duvall@state.sd.us

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DENR
605 773-3352



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 15, 2024

2320A-3

Ernest Namminga
c/o Tristan Namminga
40786 310th St
Springfield SD 57062

Dear Mr. Namminga:

I write to you today in response to the 2024 Irrigation Questionnaire information submitted online for Ernest Namminga's Water Right No. 2320A-3.

Water Right No. 2320A-3 (copy enclosed) authorized diversion of 1.78 cubic feet of water per second (800 gpm) from one well completed into the Choteau: West Aquifer for irrigation of 248 acres located within the SW ¼ Section 2 & SE ¼ Section 3; all in T93N-R61W.

On this year's questionnaire (copy enclosed) you reported the irrigation of 435 acres. If an additional 187 acres have been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2024 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
Amanda.Dewell@state.sd.us
(605) 773-3352

enclosures