

Water Right Number 2340-3

NOV. 12, 19 75

1. Considered _____, 19 75
2. Name of Applicant STEVE H. HEITMAN
3. Post Office Address JEFFERSON, S.D.
4. Amount of water claimed 2.70
5. Source of water supply GROUND WATER (105' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 208
7. Water to be diverted and used in UNION County
about 1/2 W, 5 S Miles of JEFFERSON
8. Proof of Publication Received 10-22-75
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 2340-3

Map No. 1720-2 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

PERMIT TO APPROPRIATE WATER

To Appropriate Water within the State of South Dakota

(NOTE: A line through items not applicable)

- Name of Applicant Steve H. Heitman
Postoffice address RR1 Box 150 Jefferson Stat. South Dakota 57038
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract
- Name of diversion work Heitman Irrigation Project
- Amount of water claimed (cubic feet per second) 2.7 CFS
- Source of water supply Well
- Location of point of diversion 1850' East + 20 ft South of the NW corner of Sec 13 T89 NR 49 W
County Union
- Annual period or periods during which water is to be used APRIL thru OCTOBER
- Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
- For irrigation use, Total number of acres to be irrigated 208 ACRES

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>N 1/2 Sec 13, N 1/2 of</u>	<u>88 Acres</u>		
<u>NE 1/2 Sec 13 (Parts of)</u>			
<u>Parts of SE 1/2 Sec 12</u>	<u>120 Acres</u>		
<u>T89 NR 49 W</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 5 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Elk Point Leader Courier
Elk Point SD 57025
- 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.

PRESSURE IRRIGATION: EASY RAIN

Estimated Total Cost \$ 52 00

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 Union

I, Steve Heitman 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 Steve Heitman

Subscribed and sworn to before me this 30 day of October, 1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2340-3
STEVE H. HEITMAN P.R.# 1 Box 95, JEFFERSON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57038 With the following modifications:

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 SEPTEMBER 2, 1975
 Date of return to applicant for correction, amendments or changes required SEPTEMBER 17, 1975
 Date of receipt of corrected application SEPTEMBER 23, 1975
 Approved NOVEMBER 13, 1975 Recorded in Book 14 Page 77

WATER RIGHT PERMIT NO. 2340.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2340.3 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 2, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 1978
3. The whole of said work is to be completed on or before NOVEMBER 13, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 1980
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 2.7 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, 1980; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 17TH day of NOVEMBER 19 75

WATER RIGHTS COMMISSION

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3, 1978

Water License Issued FEBRUARY 3, 1978

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 30", Depth 105'
- (2) Casing, Type Timber, Diameter 16" ID Thickness 3/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/2" Slot, Diameter 16", Length 20' feet
- (4) Gravel Pack, Thickness: 6-9", Length of gravel pack 20' feet

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 water bearing sand

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 7.5'

Depth to water (ground surface to water level) 14' drawdown

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

On same owner's property 45 rds. On property owned by others 210 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.

Steve H. Heitman
Signature of Applicant

Form 15.

Permit No. 2340-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Steve H. Roitman

_____ the holder of
Permit No. 2340-3, issued upon Application No. 2340-3, bearing date of priority of September 2,
1975 authorizing the diversion of 2.7 cu. ft. per second of the waters of _____
groundwater County of Union, State of South Dakota at _____
a point 2600'E and 50'N of the NW corner, Section 13, T80N, R49W
_____, for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.12 cu. ft. per second of water.

Date February 3, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2340-3

(1) WHEREAS, On the 2nd day of September A. D. 19 75

Steve H. Heitman

made Water Right Application No. 2340-3 for a permit to use 2.7 cubic feet per second of the waters of groundwater

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

(2) WHEREAS, On the 17th day of September A. D. 19 75

Permit No. 2340-3, with a date of priority of September 2, 1975

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 80 and for the application to beneficial use of said water on or before the 13th day of November A. D. 19 80

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 2.7 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 120 acres in the SE1, Section 12, and 80 acres in the
N1/2 N1/2, Section 13, T80N, R49W

(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 Steve H. Heitman

_____ of Jefferson
the holder _____ and owner _____ of said permit No. 3340-3 a water right, dating from September 2, 1975

_____ to use of 2.7 cubic feet per second of the waters
of groundwater

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 2800'E and 50'N of the NW corner
Section 13, T89N, R49W

and conduct to and upon 128 acres in the SE $\frac{1}{4}$, Section 12 and 88 acres in the N $\frac{1}{2}$ N $\frac{1}{2}$,
Section 13, T89N, R49W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2340-3 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 A. D.
Nineteen Hundred and ~~seventy-eight~~

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

August 21, 1975

Mr. Steve Heitman
Jefferson, SD 57036

Dear Mr. Heitman:

Enclosed please find a copy of the report of analysis for the water sample submitted here about 6 days ago. This is your copy to keep. Also enclosed you will find extension circular 554 with the approximate designation of this water for irrigation purposes on the outside back cover a red cross encircled and the number designating your sample.

This water is moderately high in salt but low in sodium and should cause no difficulty with the dispersion of the soil. However, there may be a tendency for salt accumulation as time goes on and as you use it. These difficulties would be aggravated by frequent and light applications of water and by the fact that the soil which you have is relatively fine textured and slow in internal drainage. For these reasons I would recommend strongly that you apply the water in large amounts and relatively infrequently or 4 times a season perhaps as a maximum. If you begin to see salt accumulations as indicated by a grayish crust on the soil surface during dry periods, please contact someone in the extension service or soil sampling operation and take a test for salinity. Measures can be taken to reduce salinity if it develops and becomes a problem.

A copy of this letter and the WI 1 form and a copy of the water analysis are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckh

Enclosures

cc: State Conservation Commission

D. Pahl

Louie DeSmet, County Extension Agent



Conservation
Commission
Form WL #1

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: _____

Soils Capability: _____

Approved: _____

NAME: S. J. ...

ADDRESS: 7. ...

COUNTY: Lincoln

LEGAL DESCRIPTION

1. WELL LOCATION: 18.5' East of Section 4 South of ...

2. AREA TO BE IRRIGATED: 1.08 A. 10 SE 1/4 of Sec 4 T. 1 N. 2 E. R. 10 E.

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Perforated pipe

4. CROPS TO BE IRRIGATED: Corn, Soybeans & Alfalfa Hay

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0.5%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Deep fine textured

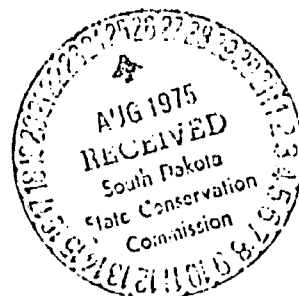
slowly permeable bottomland soil - not for irrigation

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-738

8. SALINITY: EC = 1168 (high)

9. CORRECTION: SAR = 1.47 (low)



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

Submitted by: Steve Heitman
Address: Jefferson, SD 57036

Date Rec'd: August 15, 1975
Sample No.: 75-738
Identification: Well
NE2, Sec. 13, T. 87N, R. 49W

WATER ANALYSIS

Calcium (Ca)	170	ppm*	8.50	me/l**
Magnesium (Mg)	47	ppm	3.85	me/l
Sodium (Na)	24	ppm	3.65	me/l
Potassium (K)	14	ppm	0.38	me/l
Sulfate (SO ₄)	195	ppm	4.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.10	me/l
Bicarbonate (HCO ₃)	634	ppm	10.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	520	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1168	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.47			
Sodium	22.28	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.21			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS:	Total cations	16.38	me/l
	Total anions	14.56	me/l

By: Shirley Eitten

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. 75-738

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

2340-3

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 25, 1975

Steve H. Heitman

Notice is hereby given that

whose post office address is Jefferson, 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 2.7 cubic feet of water per second of time from the ground water through the

Heitman Irrigation Project, the point of diversion of which is to be located in the

SW 1/4 SE 1/4

of Section 12, Twp. 80N, Range 49W. Said water to be used for the purpose of providing irrigation of portions of the following described land:

N 1/2 N 1/2 Section 13, SE 1/4, Section 12, T89N, R49W

This application No. 2340-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Steve H. Heitman, R.R. #1, Box 95, Jefferson, S.D. 57038

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader-Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Elk Point,

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

October 9, 1975

October 16, 1975

Lester E. Emerson
(Signature)

Publisher
(Title)

October 16, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
September, 25, 1975

Notice is hereby given that
Steve H. Heltman whose post
office address is Jefferson,
South Dakota, has made an app-
lication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.7 cubic feet of water per sec-
ond of time from ground water
through the Heltman Irrigation
Project, the point of diversion
of which is to be located in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Twp.
89N, Range 49W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
N $\frac{1}{2}$ N $\frac{1}{2}$ Section 13, SE $\frac{1}{4}$, Section
12, T89N, R49W. ~~taken by~~

This application No. 2340-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 12th
day of November, 1975, at 2:30
p. m. All interested persons
may appear and be heard.
WATER RESOURCES
COMMISSION
By Burton F. Jones
Water Rights Specialist
Publish October 9, 1975

RECEIVED
OCT 27 1975
WATER RESOURCES
COMMISSION
PIERRE, S.D.

Form 17 - Transmittal of Water License

No. 2340-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Jon Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

February 10, 1978

Steve H. Heitman
RR 1, Box 95
Jefferson SD 57038

Dear Mr. Heitman:

Enclosed herewith are, Water License No. 2340-3 and Certificate of Construction.

Water License No. 2340-3 is the final water right document completing your process of obtaining water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH: KJW

Enclosures

NOTE: Your pump capacity is 3.12 cfs (1401 gpm). Based upon the acreage actually irrigated you are entitled to only divert 2.7 cfs (1212 gpm). Any diversion in excess of 2.7 cfs would be a violation of your water right.

Permit No. 2340-3Water 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 Steve L.
Heitman of RR #1, Box 75, Jefferson, S. Dak 57038 holder
of Permit No. 2340-3, bearing date of priority of September 2, 1975
authorizing the diversion of 2.7 cu. ft. per second of the waters of Ground
for Irrigation purposes, in Union County.

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

The Water Use System consists of,

A. Works used to divert the water:

Moldi - General Electric, Model 5X626 7X11A
Ser# CLJ 3122153, 100 HP, 1770 RPM.

Pump - Fairbanks Morris. pumping 1400 gpm

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

1400 ft 8" dia Aluminum & 6200 ft. 6" dia. Aluminum.

C. Works used to apply water to beneficial use.

9 fur lines 4" dia 1300 ft long with $\frac{1}{4}$ " nozzels
spaced 40 ft apart

The system is in the following condition: Excellent

The point of diversion is located 2800 ft East and 50 ft North of the NW
Corner of Section 13, T89N R49W

The works are capable of diverting and conveying to the place of use 3.12cu. 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: 128 Ac. in the SE $\frac{1}{4}$ of
Section 12, T89N R49W and 88. Ac in the NE $\frac{1}{4}$ of Section
13, T89N R49W.

comprising a total of 216 acres of land.

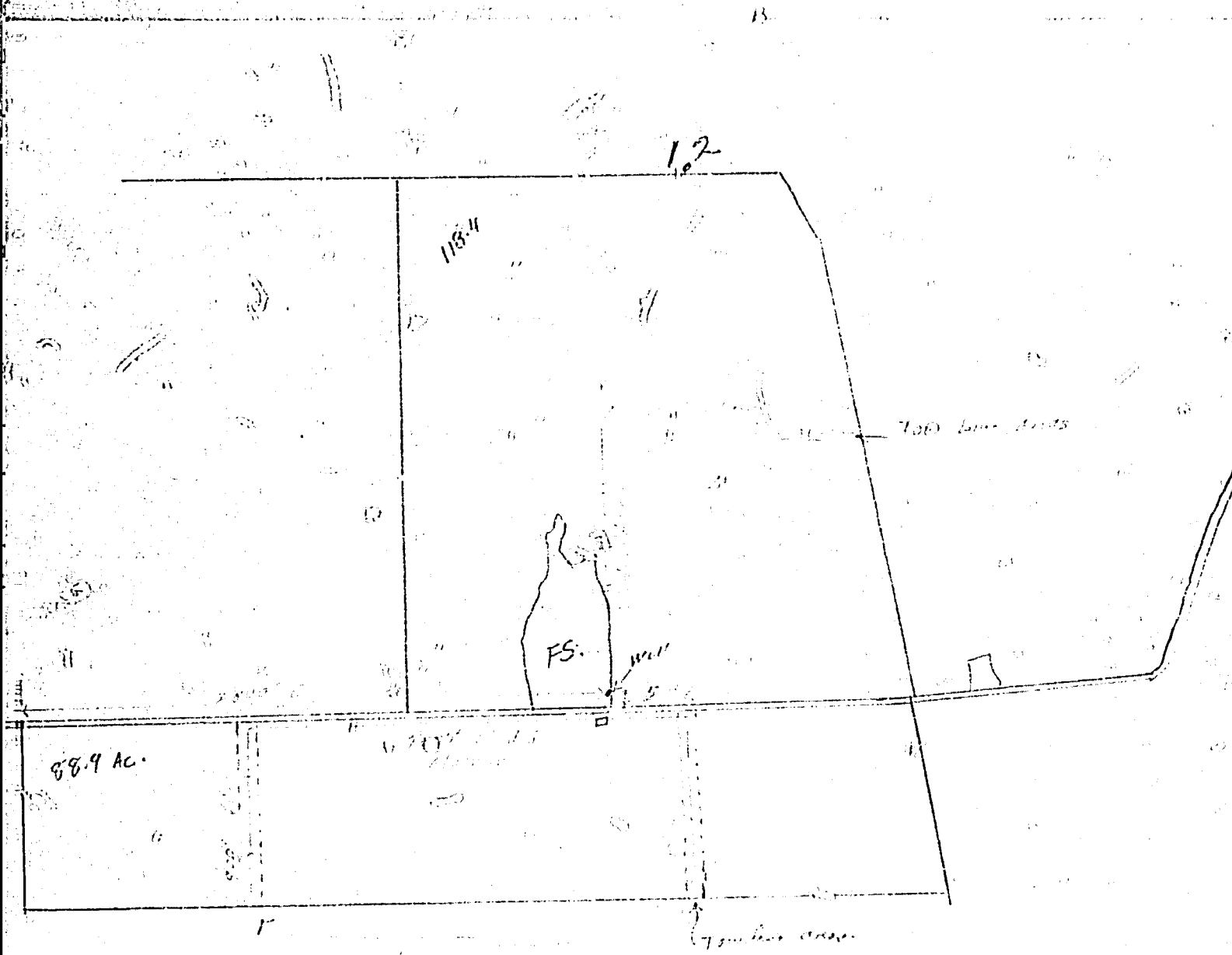
Well data:

Depth 93 ft.Pumping 1400 gpm

Date

June 3, 1977

Leroy J. Mernaugh
(Signature)



Steve Hertzman

6-14-82 from 1982 photo
by Sidney Hertzman

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT

DIVISION OF WATER RIGHTS
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501

Post Office Jefferson SD
Date June 24 1976

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

Dear Sirs:

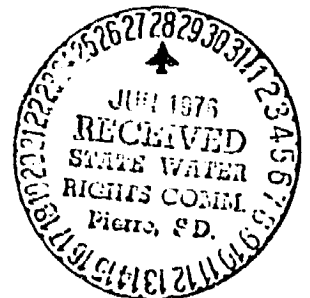
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2340-3.

Water Right Permit No. 2340-3 states that the diversion system is to be constructed by Nov 13, 1980 and that the water is to be put to beneficial use by Nov 13, 1980.

The diversion system was completed on June 15, 1976. Applying the water to beneficial use was completed on June 17, 1976.

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.

Steve Hestman
(Signature)



 **Department of
Water & Natural Resources**

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

March 31, 1986

Steve H. Heltman
RR 1, Box 130
Jefferson, SD 57038

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2340-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, 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. Amend Permit No(s). 2340-3 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.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

 **Department of
Water & Natural Resources**

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Steve H Heitman
RR 1, Box 150
Jefferson SD 57038

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: Amendment to Water Permit No(s). 2340-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 2340-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer



Department of Water & Natural Resources

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

Attachment to Water Permit No. 2340-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 2340-3 to add the following qualification:

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

Equal Opportunity Employer



2340-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

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

NOTICE

RE: Violation of Water Permit No(s) 2340-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2340-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2340-3 qualification:

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

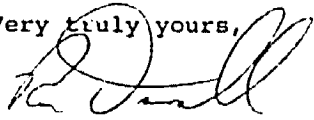
The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2340-3 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 on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,


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

cc: Steve Heitman, RR #1 Box 150, Jefferson, SD 57038

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☒ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Steve Heitman
RR #1 Box 150
Jefferson 57038

2340-3

4a. Article Number

P 837692677

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

5. Signature (Addressee)

Steve Heitman

6. Signature (Agent)

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

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

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☒ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

2340-3

4a. Article Number

P837 692 660

b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Date of Delivery

2-17-94

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

5. Signature (Addressee)

Trudeau Farms

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



2340-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 1994

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

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

Dear Sirs:

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

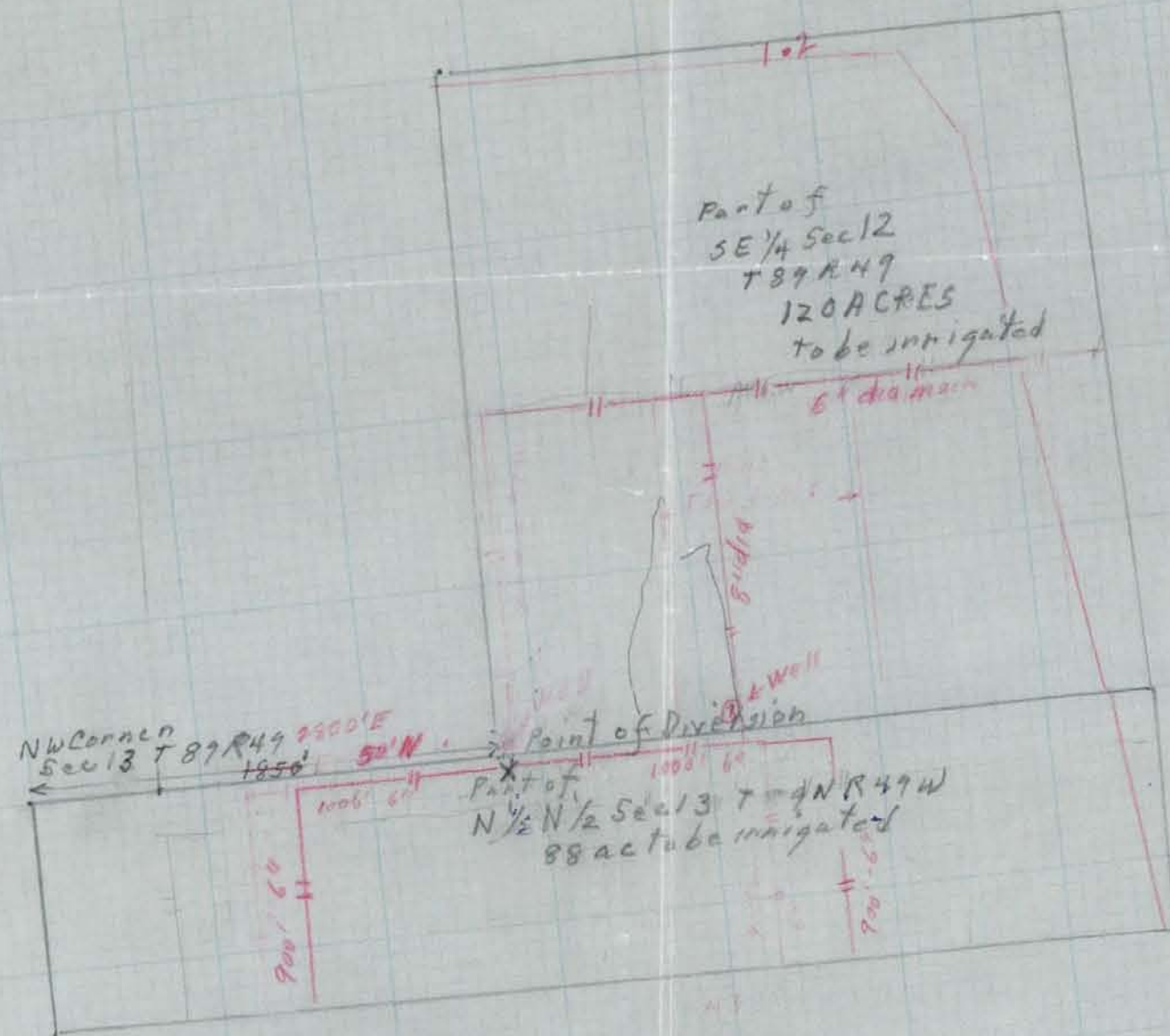
The questionnaires were received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

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



NOTE: THE CORRECT LEGAL DESCRIPTION FOR
THIS LAND SHOULD BE SECTION 26 & 35,
T30N, R7E, NEBRASKA SURVEY

Scale: 8" = 1 mi

Steve Heitman
Jefferson, So. Dak 57038
Heitman Irrigation Project
208 Acres to be irrigated

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <u>L.K. Dahlgren</u>		Date _____	
Drawn _____		Approved by <u>L.K. Dahlgren</u>	
Traced _____		Title <u>Heitman Irrigation Project</u>	
Checked _____		Sheet <u>1</u> of <u>1</u>	
		Drawing No. _____	



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 15, 2019

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

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

Dear Mr. Trudeau:

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

Below is a list of these water rights:

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

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

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

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

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

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

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

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

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

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

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

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1. Suspend or cancel Permit No(s) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 in accordance with applicable provisions of SDCL 46-1-12;
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3. Postpone any action or take no action.

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

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

cc: STEVE HEITMAN, RR 1 BOX 150, JEFFERSON SD 57038

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 13, 2024

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

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

Dear Mr. Trudeau:

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

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

If you have any questions, please contact me.

Sincerely,

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

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