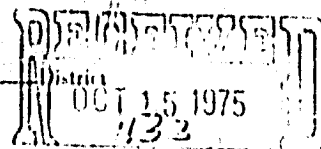


Water Right Number 2402-3

1. Considered November 12, 1975
2. Name of Applicant Paul Vondrak
3. Post Office Address Sioux City, Iowa
4. Amount of water claimed 1.14
5. Source of water supply ground water (105' DEEP WELL)
6. Water to be used for irrigation
- Acres to be irrigated 80
7. Water to be diverted and used in Union County JEFFERSON
about 1/2 W, 1/2 N Miles of JEFFERSON
8. Proof of Publication Received 11-7-75
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 2402-3Map No. 1779-3 Water Division No. 3 BIG SIOUX RIVER
(Blank to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT TO APPROPRIATE WATER RIGHTS

To Appropriate Water within the State of South Dakota

Vondrak, Paul
Rt. # 1

1. Name of Applicant— Jefferson, SD 57038

Postoffice address —

Iowa

If a corporation show date and place of incorporation — NONE

2. Method of accomplishing work (contract, employment of others, or by direct labor) — Contract

3. Name of diversion work — Vondrak Irrigation Project #2

4. Amount of water claimed (cubic feet per second) — 2.7-1.14

5. Source of water supply — Well

6. Location of point of diversion — 3240' N of the SW corner of section 13 T 90 N R 49 W

County — Union

7. Annual period or periods during which water is to be used — June through Sept.

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) — Irrigation

9. For irrigation use, Total number of acres to be irrigated — 80 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.
N 1/2 SE 1/4 Sec. 13			
T 90 R 49	80		

Attach sheet if more space is needed

10. 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.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication — Leader Courier
Elk Point, So. Dak. 57025

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Gated pipe

Estimated Total Cost \$ 5000

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 UnionI, Paul Vondrak 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

13

day of

October

1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2402-3
PAUL VONDRAK 2804 CENTER ST., SIOUX CITY,
 (Applicant) (Post Office Address)
IOWA 51103 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 15, 1975
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—
 Approved NOVEMBER 13, 1975 Recorded in Book 14 Page 135

WATER RIGHT PERMIT NO. 2402-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2402-3, 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 15, 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 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 1.14 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: JUNE THRU SEPTEMBER

Witness my hand this 21st day of NOVEMBER, 1975

WATER RIGHTS COMMISSION

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

Certificate of Construction Issued FEBRUARY 2, 1978

Water License Issued FEBRUARY 2, 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 Transite Diameter 16" I.D. Thickness 3/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/8" slotted, Diameter 16" I. D., Length 20 + ft.
- (4) Gravel Pack, Thickness 6 - 9", Length of gravel pack 20 + ft.

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 sands & gravels

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 75'

Depth to water (ground surface to water level) 17' Drawdown

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

On same owner's property none rds. On property owned by others 30 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.

Paul E. Pondra
Signature of Applicant

Conservation
Commission
Form WI #1

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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Paul Van Der
ADDRESS: 2804 Center St., Sioux City, Iowa 51103
COUNTY: Union

LEGAL DESCRIPTION

1. WELL LOCATION: 3240' N. of the SW corner of Sec 13 T20R44
2. AREA TO BE IRRIGATED: N 1/2 of Sec 13 T20R44

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Gravity
4. CROPS TO BE IRRIGATED: Corn & Beans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: _____
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Heavy - Deep medium
Textured soils with sandy subsoils developed on the lands

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 175-842
8. SALINITY: EC = 1008 μ mhos/cm (moderately high)
9. SODIUM: SAR = 4.22 (low)
moderately Sodium Carbonate = 2.0 milliequivalents/l

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 Conservation Service

and:

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

Raul Bondack

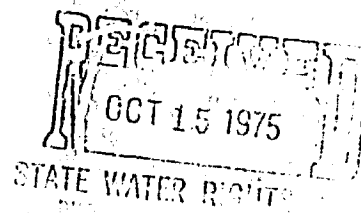
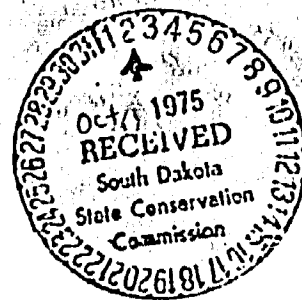
Subscribed and sworn before me this

5 day of Sept 1975.

Marcellus Ludwig

Notary Public

(Title)



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

Submitted by: Paul Van drak Date Rec'd September 9, 1975
 Address: 2804 Center St. Sample No. 75-842
Sioux City, Iowa 51102 Identification Well
SW 1/4, Sec. 13, T 20N, R 49W

WATER ANALYSIS

Calcium (Ca)	90	ppm*	4.50	me/l**
Magnesium (Mg)	48	ppm	3.94	me/l
Sodium (Na)	57	ppm	2.48	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	65	ppm	1.35	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	637	ppm	10.44	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	522	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	1008	micromhos per cm at 25° C.		
Electrical Conductivity	4.22			
Sodium Adsorption Ratio	22.50	% of cations		
Sodium	2.00	me/l		
Residual sodium carbonate	7.30			
pH				
Others:				

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

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

COMMENTS: Total cations 11.62 me/l
 Total anions 11.87 me/l

By: Shirley Histan

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. 75-842

Amount Enclosed \$

Signed

WATER LICENSE NO. 2402-3

(1) WHEREAS, On the 15th day of October A. D. 1975
Paul Vondral,

made Water Right Application No. 2402-3 for a permit to use 1.14 cubic feet per second of the waters of ground water

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

(2) WHEREAS, On the 21st day of November A. D. 1975
Permit No. 2402-3, with a date of priority of October 15, 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. 1980 and for the application to beneficial use of said water on or before the 13th day of November A. D. 1980

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 1.97 cubic feet per second of water for beneficial use and,

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

for irrigating the following land in Section 13, T90N, R42W

SW 1/4 NE 1/4	18	acres
NW 1/4 SE 1/4	30	acres
NE 1/4 SE 1/4	18	acres
TOTAL	75	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 Paul Vondrak

of Sioux City, IA

the holder and owner of said permit No. 2402-3 a water right dating from October 15, 1975

to use of 1.07 cubic feet per second of the waters of ground water

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at

a point 2580'N of the SE corner, Section 13, T90N, R49W

and conduct to and upon portions of Section 13, T90N, R49W, described on the face of this

License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2402-3 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 JOHN HATCH

Permit No. 2402-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Paul Vondrak

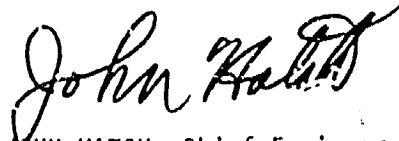
_____ the holder _____ of
Permit No. 2402-3, issued upon Application No. 2402-3, bearing date of priority of October 15,
1975 authorizing the diversion of 1.14 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 2580'4" of the SE corner, Section 13, T20N, R10E
_____, for Irrigation

purposes, he s 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 2.73 cu. ft. per second of water.

Date February 3, 1978

By:

WATER RIGHTS COMMISSION



JOHN HATCH, Chief Engineer

2402-3

Publish first publication, on or before October 30, 1975.

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~October 23~~, 1975

Notice is hereby given that Paul Vondrak

whose post office address is Sioux City, Iowa, ~~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

1.14 cubic feet of water per second of time from ~~the~~ ground water through the Vondrak Project #2, the point of diversion of which is to be located in the _____

SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 13, Twp. 90N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 13, T90N, R49W

This application No. 2402-3 will be considered by the Water Rights 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 RIGHTS COMMISSION

By

BURTON F. JONES

Water Rights Specialist

BFJ/bw

Paul Vondrak, 2604 Center Street, Sioux City, Iowa 51103

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 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 30, 1975

November 6, 1975

Lester E Emerson
(Signature)

Publisher
(Title)

November 6, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
October 23, 1975

Notice is hereby given that Paul Vondrak whose post office address is Sioux City, Iowa has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.14 cubic feet of water per second of time from ground water through the Vondrak Project #2; the point of diversion of which is to be located in the SE 1/4 NW 1/4 of Section 13, Twp. 90N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land: IN 1/4 SE 1/4 SW 1/4 NE 1/4 Section 13, T90N, R49W. This application No. 2402-3 will be considered by the Water Rights 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 RIGHTS COMMISSION
By: Burton P. Jones
Water Rights Specialist
Publish: Oct. 30, Nov. 6.

Form 10.

No. _____

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

Date

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

Dear Sirs:

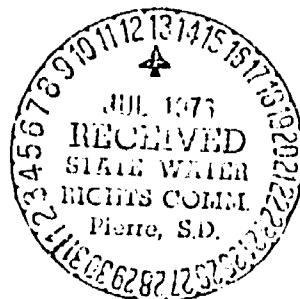
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 21102-3.

Water Right Permit No. 2402-3 states that the diversion system is to be constructed by Dec 1, 1975 and that the water is to be put to beneficial use by 6-25-76, 1976.

The diversion system was completed on Dec 1, 1975. Applying the water to beneficial use was completed on 6-25, 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.

Ralph R. Rasmussen
(Signature)



2/10/82

Paul K. Kelly

5-777

7/12/98

2000

ကျိပ်ကုတ်

Paco

1947

...

1877

1992-1993



100

100

10

1944

5

1

1947

1990

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

SECRET

100

[illegible]

Permit No. 2402-3Water 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 Paul
Vondrak. of Rt #1 Jefferson S Dak. 57038 holder
of Permit No. 2402-3, bearing date of priority of October 15, 1975
authorizing the diversion of 1.14 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:

Tractor, Power Take-off.
Pump, Western Land Roller
pumping 1250 gpm

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

Gated Pipe

C. Works used to apply water to beneficial use.

1400 ft. 8" dia Gated Pipe - 30 inch spacing

The system is in the following condition: Good

The point of diversion is located 2550 St North at the SW corner of the
SE 1/4 of section 13, T90N R49W

The works are capable of diverting and conveying to the place of use 2.79
cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: All in section 13, T90N R49W
SW 1/4 NE 1/4 - 18.0 Ac., NW 1/4 SE 1/4 - 39.0 Ac., NE 1/4 SE 1/4 - 18.0 Ac.

comprising a total of 75 acres of land.

Well data.

Depth 98 ftPumping 1250 gpm

Date June 28, 1977
Larry D McManis
(Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

February 10, 1978

Paul Vondrak
RR #1
Jefferson, SD 57038

Dear Mr. Vondrak:

Enclosed herewith are, Water License No. 2402-3 and Certificate of Construction.

Water License No. 2402-3 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:97

Enclosures

NOTE: Your pump capacity is 2.79 cfs (1253 gpm). Based upon the acreage actually irrigated you are entitled to divert only 1.07 cfs (480 gpm). Any diversion in excess of 1.07 cfs would be a violation of your water right.



2402-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

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

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

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

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

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

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

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

Very truly yours,

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

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



2362-3

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.

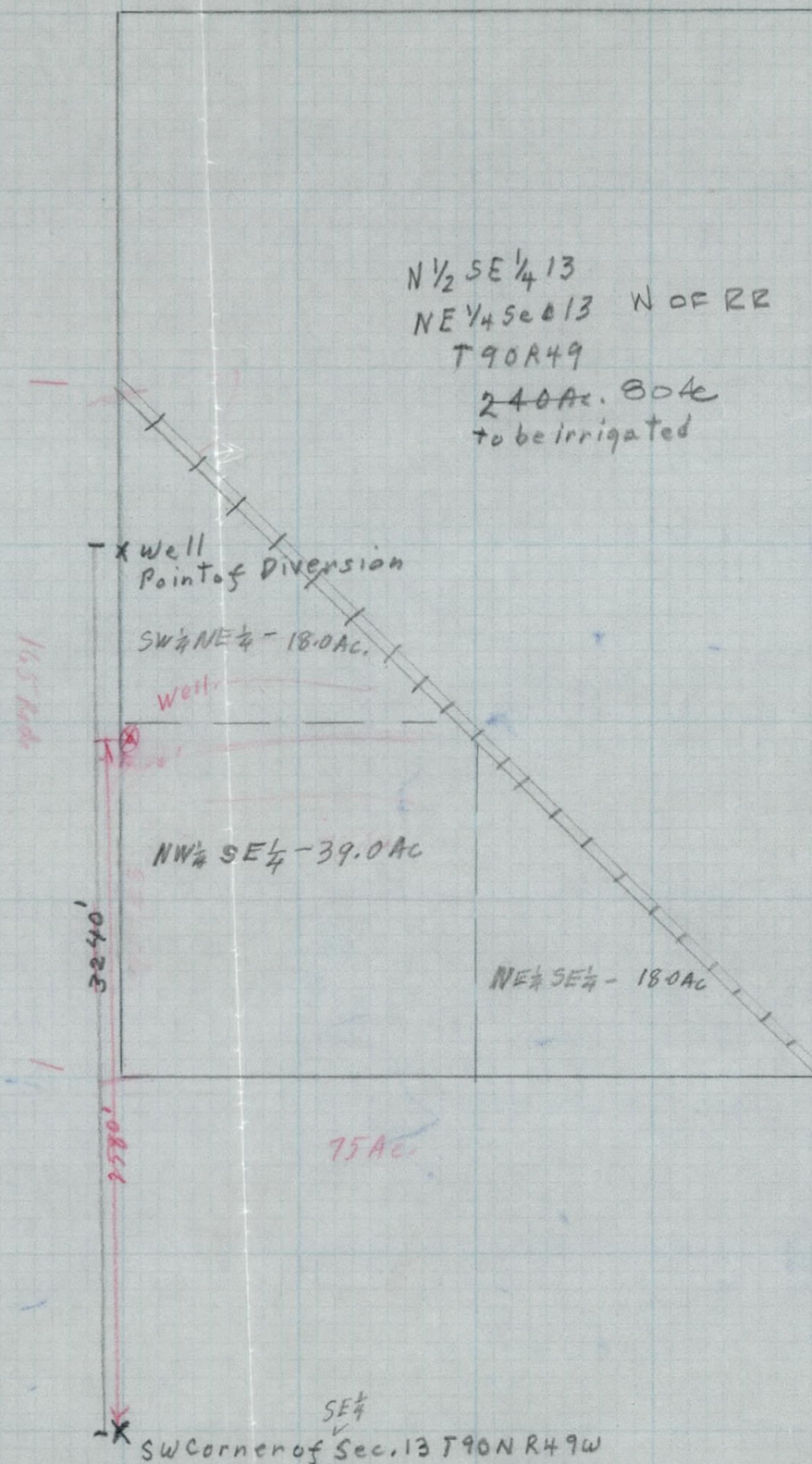
The questionnaires were received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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



Scale 8" = 1 mi.

Paul Von Drak
Jefferson, So. Dak 57025
Von Drak Irrigation Project

240 ac.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed by <u>C.K. Dahlgren 2-575</u>	Date <u>2-5-75</u>	Approved by <u>C.K. Dahlgren</u>
Drawn <u>C.K. Dahlgren 2-575</u>		Title <u>Dist. Cont.</u>
Traced	Sheet	Drawing No.
Checked	No	
	of	



**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.



2402-3 2401-3
3286-3

**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

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cc: PAUL VONDRAK, RT 1, 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