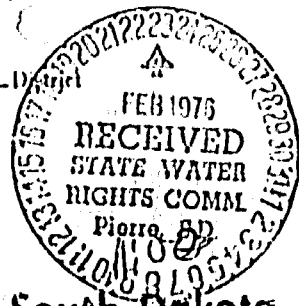


Water Right Number 2594-3

1. Considered March 17, 19 76
2. Name of Applicant Raymond Blumeyer
3. Post Office Address Estelline, S.D.
4. Amount of water claimed 4.3
5. Source of water supply ground water (65' & 70' WELLS)
6. Water to be used for irrigation
Acres to be irrigated 304
7. Water to be diverted and used in Hamlin and Brookings County
about 9N, 30W Miles of BRUCE
8. Proof of Publication
Received 3-15-76
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 2594-3Map No. 1962.3 Water Division No. 3 BIG SIOUX RIVER
(Plans to be Filed by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

Kenneth Tesch
Estelline, SD 572341. Name of Applicant Raymond BlumeyerPostoffice address Estelline, State South Dakota

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor Contract3. Name of diversion work Raymond Blumeyer Diversion Project #14. Amount of water claimed (cubic feet per second) 4.35. Source of water supply 2 Wells6. Location of point of diversion #1 - 1840' N 45° E at SW corner Sec 33-113-51,#2 - 1840' N 135° E at NW corner Sec 4-113-51County SW 33 Brackley7. Annual period or period during which water is to be used April through October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 304

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.
NW 1/4 Sec 33-113-51	39	NW 1/4 NW 1/4 Sec 4-113-51	38
NE 1/4 " " " "	40	NE 1/4 " " " "	40
SW 1/4 " " " "	38	SW 1/4 " " " "	39
SE 1/4 " " " "	30	SE 1/4 " " " "	40

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use 1 year years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brackley Pioneer

12. Principal Features of the Proposed Water Supply System.

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

Two wells

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

closed conduit

C. Works proposed to apply water to beneficial use.

2 center pivot irrigation machinesEstimated Total Cost \$ 55,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of BrackleyI, Raymond Blumeyer 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 Raymond BlumeyerSubscribed and sworn to before me this 20 day of Feb, 1976

Notary Public (or other qualified officer)

P. C. H. 1976

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2594-3
RAYMOND R. BLUMFELDER Kenneth ESTELLINE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57234 With the following modifications:
 (State)

The irrigation wells 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 FEBRUARY 23 19 76
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application FEBRUARY 27 19 76
 Approved MARCH 17 19 76, Recorded in Book 15 Page 19

WATER RIGHT PERMIT NO. 2594.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2594.3 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 FEBRUARY 23 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17 19 78
3. The whole of said work is to be completed on or before MARCH 17 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17 19 84
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 4.3 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 use 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 MARCH 17 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 24TH day of MARCH 19 76

WATER RIGHTS COMMISSION

By:

John H. [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction issued DECEMBER 24 19 80

Water License issued DECEMBER 24 19 80

Well # 2 - New Sec 9 113 - 51

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 24", Depth 65'
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 14", Thickness 3/6"
- (3) Perforated Screen.
Type Cent. Slot, Diameter 14", Length 10'
- (4) Gravel Pack. Thickness 5', Length of gravel pack 30'

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 0' to 6' gravel, 6' to 26' sand
and clay mixed; 26' to 40' clay;
40' to 65' gravel

Depth to top of water bearing material 40'

Depth to bottom of water bearing material 65'

Thickness of water bearing material 25'

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

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

On same owner's property No. Sec 9 rds. On property owned by others 0.0 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.

Suprend Blumpe
Signature of Applicant

Well #1 - Sec 33 - 113 - 51

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 24", Depth 70' 65
- (2) Casing, Type Steel Diameter 14" Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Perforated Slot, Diameter 14", Length 10'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 30'

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 0' to 5' overburden, 5' to 22' mixed sand & clay, 22' to 37' clay, 37' to 45' mixed clay & sand, 45' to 70' gravel, 70' + clay

Depth to top of water bearing material 45' 40

Depth to bottom of water bearing material 70' 65

Thickness of water bearing material 25' 25

Depth to water (ground surface to water level) 12' 10

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

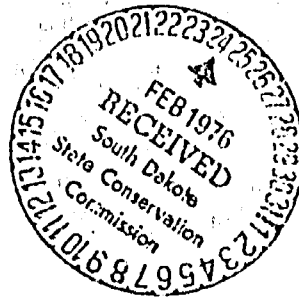
On same owner's property 600 rds. In property owned by others 7-00 rds.

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.

Leifmond Blumeyer
Signature of Applicant

February 20, 1976



Raymond & Carl Blumeyer
Estelline, SD 57234

Dear Sirs:

Enclosed please find the report of analysis of water sample #76-099 submitted by you about a week ago. I am also enclosing a copy of extension circular 654 with the quality of this water for irrigation purposes designated by a red cross in the chart on the outside back cover.

As you see, this is very good water indeed and there should be no chemical difficulty whatever brought about by the use of this water. The Estelline soils are normally quite well drained so you should have no problems in irrigation operations with this supply.

A copy of this letter, and of the water analysis, and the WI-1 form 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
Don Boone, County Extension Agent



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: [Signature]

Disapproved: _____

NAME: Raymond A Carl Brumage
ADDRESS: Esell, 100 South 12th St. 57234
COUNTY: Brookings

LEGAL DESCRIPTION

1. WELL LOCATION: NE 1/4 of Sec 4 - 112 - 51
2. AREA TO BE IRRIGATED: NE 1/4 sec 4 - 112 - 51 & SW 1/4 sec 33 - 113 - 51

TYPE OF IRRIGATION

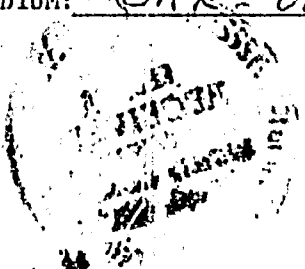
3. GRAVITY _____ SPRINKLER (Indicate Type): center pivot
4. CROPS TO BE IRRIGATED: _____

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: slightly level - see page 3 of Brookings County map
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: the entire area - both SW 1/4 sec 33 & NE 1/4 sec 4 in the Esell area. Soil is loam

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 76-099
8. SALINITY: EC = 501 μ mhos/cm (medium)
9. SODIUM: SAR = 0.12 (low)



the land capability for irrigation information has been acquired from

and:

Leyland Blumpe

... 17 day of Feb 19 72.

P. E. 17116

(Title)



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

Submitted by: Raymond Fluiver
Address: Estelline, SD 57234

Date Rec'd: February 17, 1976
Sample No.: 76-099
Identification: Fell-60'
SE 1/4, Sec. 33, T 113N, R 51W

WATER ANALYSIS

Calcium (Ca)	74	ppm*	3.70	me/l**
Magnesium (Mg)	28	ppm	2.30	me/l
Sodium (Na)	4	ppm	0.20	me/l
Potassium (K)	4	ppm	0.09	me/l
Sulfate (SO ₄)	58	ppm	1.21	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	259	ppm	4.24	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)	212	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	501	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.12			
Sodium	2.17	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.23			
Others:				

*ppm=parts per million
**me/l=milliequivalents per liter
***g.p.g.=grains per gallon

COMMENTS: Total cations 6.29 me/l
Total anions 5.33 me/l

By: Shirley Hutton

Service performed	Amount Due
<u>Iron Analysis</u>	<u>\$8.00</u>

Make check payable to Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-099

Amount Enclosed \$

Signed

WATER LICENSE NO. 2594-3

(1) WHEREAS, On the 23rd day of February A. D. 19 76
Raymond Blumeyer

made Water Right Application No. 2594-3 for a permit to use 4.3 cubic feet per second of the waters of ground water (two wells)
 County of Brookings & Hamlin, State of South Dakota, for irrigation
 purposes; and

(2) WHEREAS, On the 17th day of March A. D. 19 76
 Permit No. 2594-3, with a date of priority of February 23, 1976

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 17th day of March A. D. 19 81 and for the application to beneficial use of said water on or before the 17th day of March A. D. 19 84

WHEREAS, on the 21st day of February, 1978 this Permit was transferred to Kenneth Tesch, Estelline, South Dakota,

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

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

Section 33 - T112N, R51W acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 34

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 28

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 34

Section 4 - T112N, R51W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 34

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34

TOTAL 266 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 Kenneth Tesch

_____ of Estelline, SD

the holder _____ and owner _____ of said permit No. 2594-3 a water right, dating from February 23, 1976

_____ to use of 3.8 cubic feet per second of the waters of ground water (two wells)

in the County of Brookings and Hamlin and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted ~~xxx~~ the North well - N45°E, 1840' from the SW corner - Section 33, T113N, R51W; south well - N 125°E, 2275' from the NW corner. Section 4, T112N, R51W

and conducted to and upon portions of land in Section 33, T113N, R51W and Section 4 T112N, R51W more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2594-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of December A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2594-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Kenneth Tesch

_____ the holder _____ of
Permit No. 2594-3, issued upon Application No. 2594-3, bearing date of priority of _____
February 23, 1976 authorizing the diversion of 4.3 cu. ft. per second of the waters of _____
ground water (two wells) County of Brookings & Hamlin, State of South Dakota XX
the North well - N45°E, 1840' from the SW corner, Section 33, T113N, R51W;
South well - N 125°E, 2275' from the NW corner, Section 4, T112N, R51W
_____, for Irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.8 cu. ft. per second of water.

Date December 24, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

No. 2594-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

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

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

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

March 5, 1976

March 12, 1976

[Signature]
(Signature)

[Signature]
(Title)

12 March 1976
(Date Signed)

Legal No. 113 — March 5, 1976
NOTICE

INTENT TO APPROPRIATE WATER
Notice is hereby given that Raymond
Blumeyer, whose post office address is
Brookings, South Dakota, has made an
application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate for
beneficial use 4.3 cubic feet of water per
second of time from ground water
through the Blumeyer Project No. 1, the
points of diversion of which are to be
located in the Center of the SW $\frac{1}{4}$,
Section 33, T113N, R51W and Center of
the NW $\frac{1}{4}$ of Section 4, Twp. 112N, Range
51W. Said water to be used for the
purpose of providing irrigation on
portions of the following described land:

SW $\frac{1}{4}$, Section 33, T113N, R51W and
NW $\frac{1}{4}$, Section 4, T112N, R51W

This application No. 2594-3 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 17th day of March, 1976, at 1:00
P.M. All interested persons may appear
and be heard.

WATER RESOURCES COMMISSION
BURTON F. JONES
Water Rights Specialist



Publish first publication, on or before March 5, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 1, 1976

Raymond Blumeyer

Notice is hereby given that _____

whose post office address is Estelline, 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 use4.3 cubic feet of water per second of time from ~~xxx~~ ground water through the Blumeyer Project #1, the point of diversion of which is ^s located in the _____Center of the SW $\frac{1}{4}$, Section 33, T113N, R51W and Center of the NW $\frac{1}{4}$,4 of Section 112N, Twp. 51W, Range 51W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:SW $\frac{1}{4}$, Section 33, T113N, R51W and NW $\frac{1}{4}$, Section 4, T112N, R51W

This application No. 2594-3 will be considered by the Water Rights Commission at their office at 17th March 76 1:00 P. Pierre upon the _____ day of _____, 19____, at _____ M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights SpecialistBFJ/bw
cc:

Raymond Blumeyer, Estelline, S.D. 57234

Form 10.

No. 2594-3

James L. & Broedinger



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

Post Office Pierre S.D.
Date 6-18-79

TO: **PIERRE, SOUTH DAKOTA 57501**
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. 2594-3

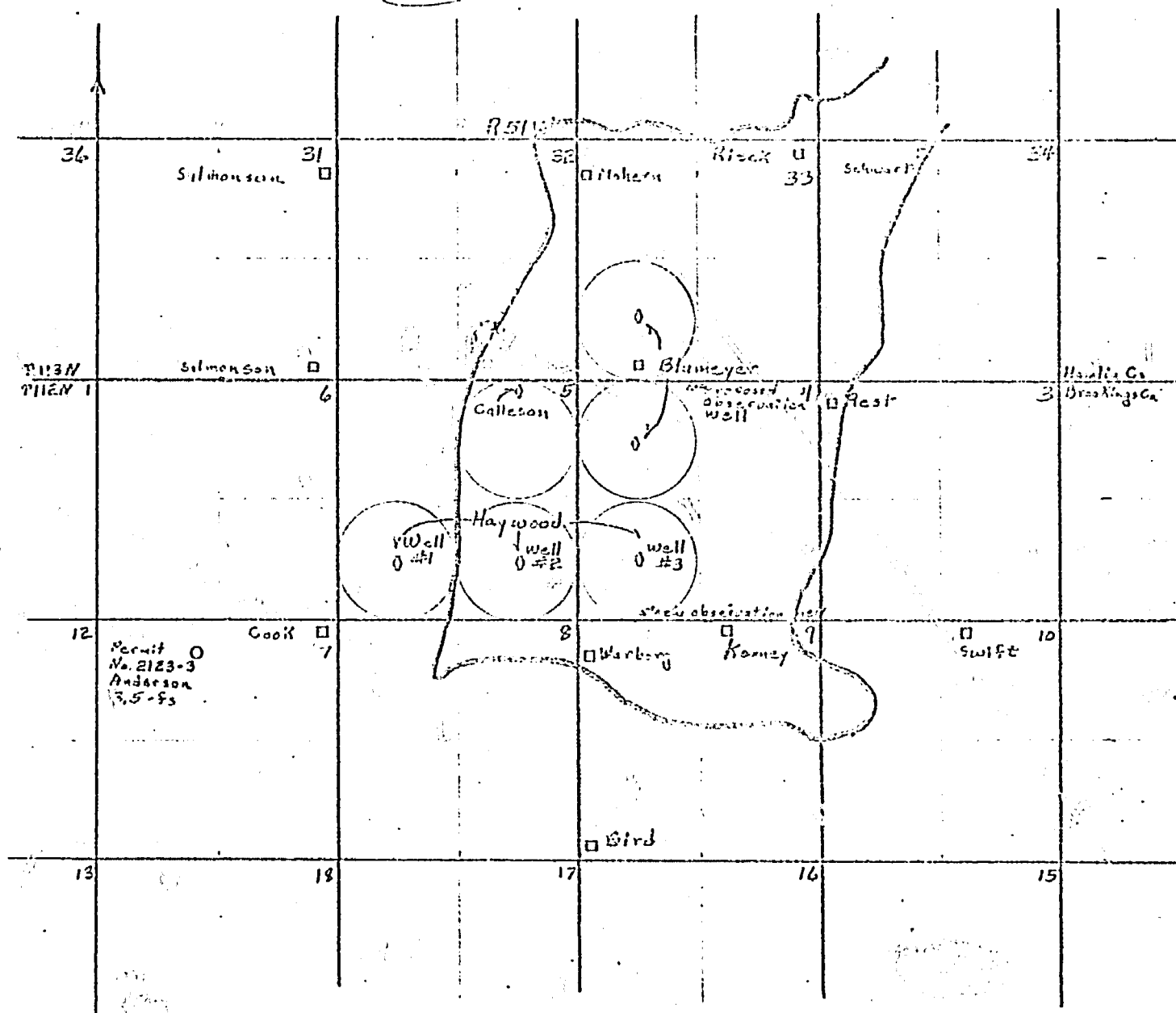
Water Right Permit No. 2594-3 states that the diversion system is to be constructed by ?, 19 , and that the water is to be put to beneficial use by 1981, 19 .

The diversion system was completed on June 17, 1979. Applying the water to beneficial use was completed on June 14, 1979.

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.

James L. & Broedinger
(Signature)

№. 2574-3



- 0 Proposed Irrigation Wells
- 0 Protestors

RECEIPT

WATER RIGHTS COMMISSION

No 4 6351

State of South Dakota

PIERRE, February 21, 1979

RECEIVED OF Kenneth Beach, Batellina, SD 57224
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling <u>transfer of water permit # 2594-3</u>		2 50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		2 50

WATER RIGHTS COMMISSION

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

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: January 10, 1978

This is to notify you that title to the lands described as follows:

Portions of Section 33, T113N, R51W and Section 4, T112N, R51Was described on water permit # 2594-3formerly owned by Raymond Blumeyer, Estelline, SDhas been transferred to Kenneth Tesch, Estelline, SD 57234

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 2594-3 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission as
evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover
filing fees as required under Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of Yankton)

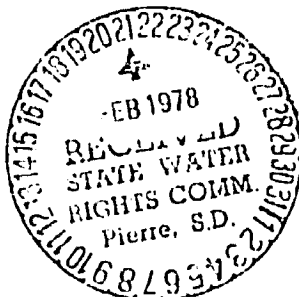
I, _____ being first duly sworn on my oath despose
and say: That my relation to the above described undertaking is that of Owner,
that I have read the above foregoing statement, and I know of my own personal
knowledge that the information herein stated is true.

Kenneth Tesch
(Signed)

Subscribed and sworn to before me this

17 day of Feb19 78.

Mary M. Tesch
(Notary Public)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7789

PIERRE, November 10, 1904

RECEIVED OF Kenneth Tesch, Estelline, SD 57234

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. 2594-2	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2594-2		
Fee for issuing Location Certificate-Dry Draw. No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

by *W. L. Hart*
Chief Engineer, Executive Officer
SOUTH DAKOTA / SD

Permit No. 2594-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD/POSS BLDG., Pierre, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by KENNETH
TESCH of ESTELLINE holder
of Permit No. 2594-3, bearing date of priority of FEBRUARY 23, 1976
authorizing the diversion of 4.3 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in BROOKINGS & HAMLIN 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:

N WELL 10' DEEP - 14" STEEL CASING WITH TEN FEET SS SCREEN
S WELL 65' " - 14" STEEL CASING WITH 10' SS SCREEN
BOTH WELLS HAVE WESTERN LAND ROLLER 8" PUMPS 4-12 CH &
BOTH HAVE 75HP US ELECTRIC MOTORS - TYPE RU

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

N WELL - 10' 8" LINE TO CENTER OF PILOT
S WELL 626' 8" BURIED PLASTIC LINE TO CENTER OF PILOT

C. Works used to apply water to beneficial use.

8 TOWER ELECTROGATOR CENTER PILOT - MODEL 680
WITH #100 END GUN -- TOWED BETWEEN THE
TWO QUARTERS

The system is in the following condition: GOOD

The point of diversion is located N WELL - N 45° E, 1840' FROM THE SW CORNER, SEC. 33, T113N, R51W
S WELL - N 175° E, 2275' FROM THE NW CORNER, SECTION 4, T112N, R51W

The works are capable of diverting and conveying to the place of use 1.88 (850 G.P.M. WELL AT THIS RATE)
CAN PUMP EACH

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:

SECTION 33, T113N, R51W		SECTION 4, T112N, R51W	
NW ¹ SW ¹	34 AC	NW ¹ NW ¹	34 AC
NE ¹ SW ¹	34 AC	NE ¹ NW ¹	34 AC
SW ¹ SW ¹	28 AC	SW ¹ NW ¹	34 AC
SE ¹ SW ¹	34 AC	SE ¹ NW ¹	34 AC

comprising a total of 266 acres of land.Date OCTOBER 2, 1980

Burton J. [Signature]
(Signature)



2-15-81

We sent in \$50.00 for a license
or permit. We have never received it
Please respond.



Samuel T. Davis
R.R. #1 Box 31
Estillville, A.D.
57234



Division of Water Rights (605) 773-3352

March 2, 1981

Kenneth Tesch
RR #1, Box 31
Estelline, SD 57234

Dear Mr. Tesch:

This is in response to your letter of February 13, 1981 in which you inquired about the whereabouts of your Water License.

By this time, you probably have received it in the mail. The file shows that it was mailed to you on February 23, 1981.

Due to a tremendous backlog of paper work and the rapidly increasing number of water permit applications received in this office, some of our paper work has had to be shifted around in order to handle all the work. This is the reason the Water Licenses were somewhat slow in getting sent out. We hope this has not inconvenienced you.

Sincerely,

GENNY YOUNG
Staff Assistant

GY



2594-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: KENNETH TESCH, 46238 196TH ST, ESTELLINE, SD 57234

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 2594-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2594-3 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 February 27, 2004, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



2594-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8930

Your item was delivered at 10:56 am on January 15, 2004 in ESTELLINE, SD 57234. The item was signed for by B TESCH.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8930

KENNETH TESCH
46238 196TH ST
ESTELLINE SD 57234

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

mailing.

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail®

☐ Package Services



2594-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 2, 2004

2594-3

Kenneth Tesch
46238 196th St
Estelline SD 57234

Dear Mr. Tesch:

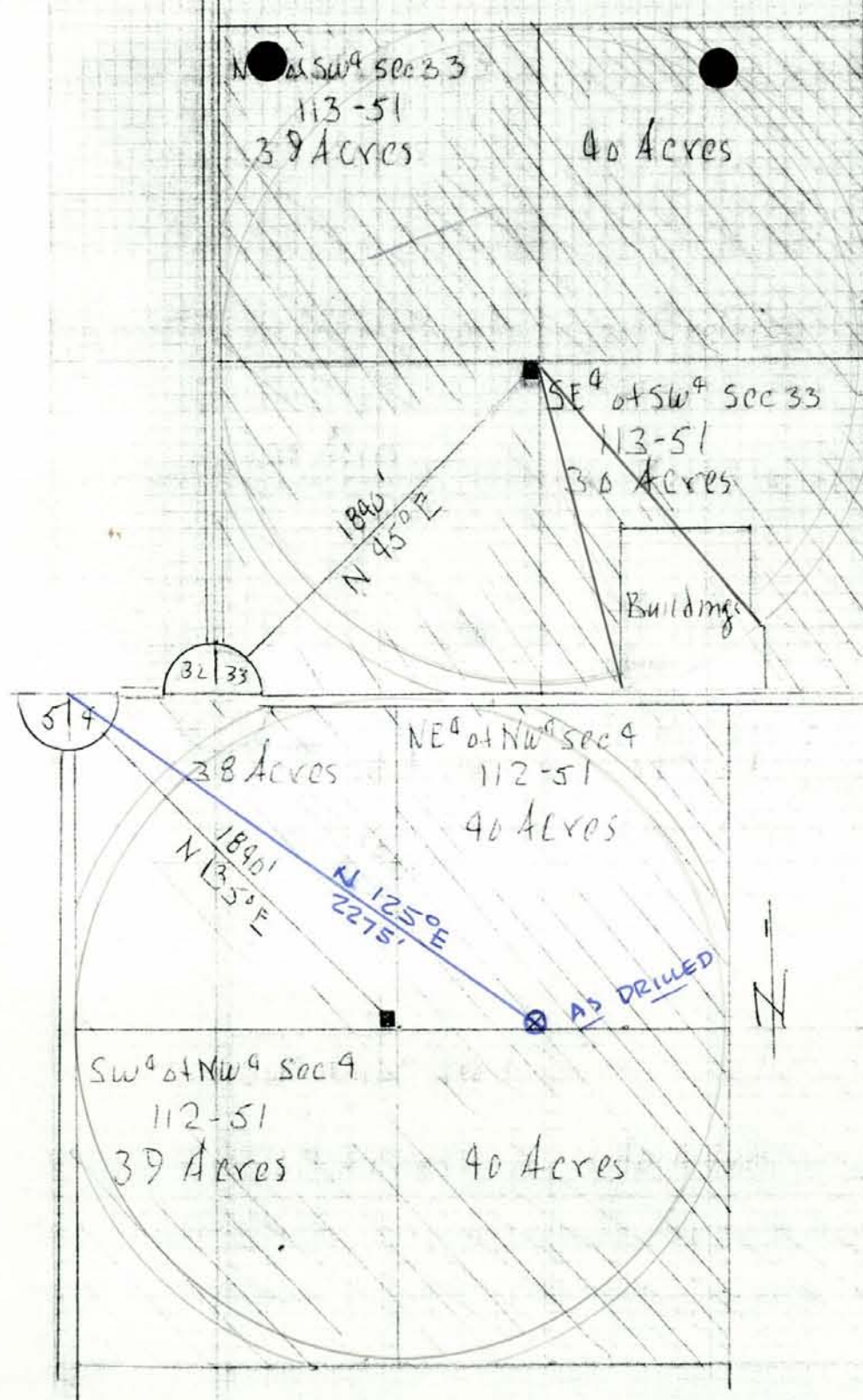
I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 2594-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



RAYMOND BLUMEYER

Irrigation Project #1
Estelline South Dakota

Acres Irrigated - 304

Water claimed 4.3 cfs

Points of Diversion:

Point 1 - 1840' N 45° E of SW corner sec 33 - 113-51

Point 2 - 1840' N 135° E of NW corner sec 4 - 112-51

Hamlin-Brookings county line

Surveyor's Certificate:

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

Raymond Blumeyer

Estelline

2-20-76

South Dakota

Drawn by SLW

P.P.H. 1916

Brookings S.D.

John L. Wiersma

MAP NO. 3 APPL NO. 2594-3

Scale: 8" = 1 Mile

File No. 2594-3

Approval of Change of Diversion Point

NAME: Kenneth Tesch

ADDRESS: 46238 196th St, Estelline SD 57234

DATE: July 22, 2015

COUNTY: Brookings

TELEPHONE: (605) 520-1190

Water Right No. 2594-3 appropriates 3.8 cubic foot per second (cfs) from two wells completed into the Brookings Management Unit of the Big Sioux aquifer to irrigate 266 acres in Brookings and Hamlin Counties. These two wells were constructed in the SW $\frac{1}{4}$ of Sec 33, T113N-R51W and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, T112N-R51W. The descriptions of the acres irrigated are as follows: 34 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, 34 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, 28 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, and 34 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, all in T113N-R51W, 34 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, 34 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, 34 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, 34 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, all in T112N-R51W. The original permit was conditioned with the standard well interference, well completion, and irrigation questionnaire qualifications.

Russ Tesch submitted a request to the South Dakota DENR Water Rights Program (received on July 20, 2015) requesting a change in the location of the diversion point for the southern well, located in Section 4, T112N-R51W. The original well was located in a wet area and was prone to flooding. The new well will be located in the approximate center of the NW $\frac{1}{4}$ of Section 4, T112N-R51W and will be completed to a similar depth as the original. The new well will divert water from the same source, the Big Sioux: Brookings aquifer.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional points may be licensed provided the following conditions are met and the potential for interference with other existing diversion points is not increased.

- **Developed water source is the same as licensed source and no additional water is appropriated.**

The water source authorized by Water Right No. 2594-3 is the Big Sioux: Brookings aquifer. The depth of the proposed well as well as the depth of the original well is consistent with the known depth of the Big Sioux: Brookings aquifer.

No additional appropriation of water is authorized. Water Right No. 2594-3 appropriates 3.8 cfs and no additional diversion rate authority is being requested.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest production wells to the proposed well site. The nearest well to the proposed diversion point was constructed under Water Right No. 5299-3 and is located approximately 0.4 miles to the west. This distance is expected to be sufficient in order to minimize potential impairment of existing wells as a result of constructing the new well.

Observation Well Data

The Water Rights Program monitors a series of observation wells completed into the Big Sioux: Brookings aquifer. The closest of these observation wells completed into the Big Sioux: Brookings aquifer (BG-76E) is located approximately 0.33 miles to the northeast of the proposed well site. This well has been in place since 1976 and shows static water level fluctuations of 15 to 38 feet below the top of the casing. Historic water levels in BG-76E appear to be primarily climatically controlled with visible seasonal drawdown. Approval of a change in diversion point under Water Right No. 2594-3 is not expected to increase the volume of water withdrawn from the aquifer annually and is therefore not expected to affect overall water levels in the aquifer.

Abandoned Wells

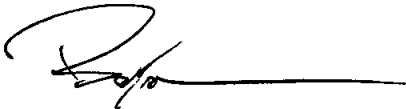
The Water Rights Program requires that if the existing well is no longer in use, that it be plugged in accordance with South Dakota well drilling standards.

CONCLUSION:

- The new diversion point does not propose to appropriate additional water.
- The wells in the original application proposed to pump water from the same source as the new proposed well, the Big Sioux: Brookings aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur as a result of the construction of the proposed well.
- The existing well shall be plugged in accordance with South Dakota well drilling standards if no longer in use.

RECOMMENDED ACTION:

Based on the above criteria, it is recommended that the request for a change in diversion points, from one well located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4 to a new well located in the center of the NW $\frac{1}{4}$ of Section 4, all in T112N-R51W be approved.



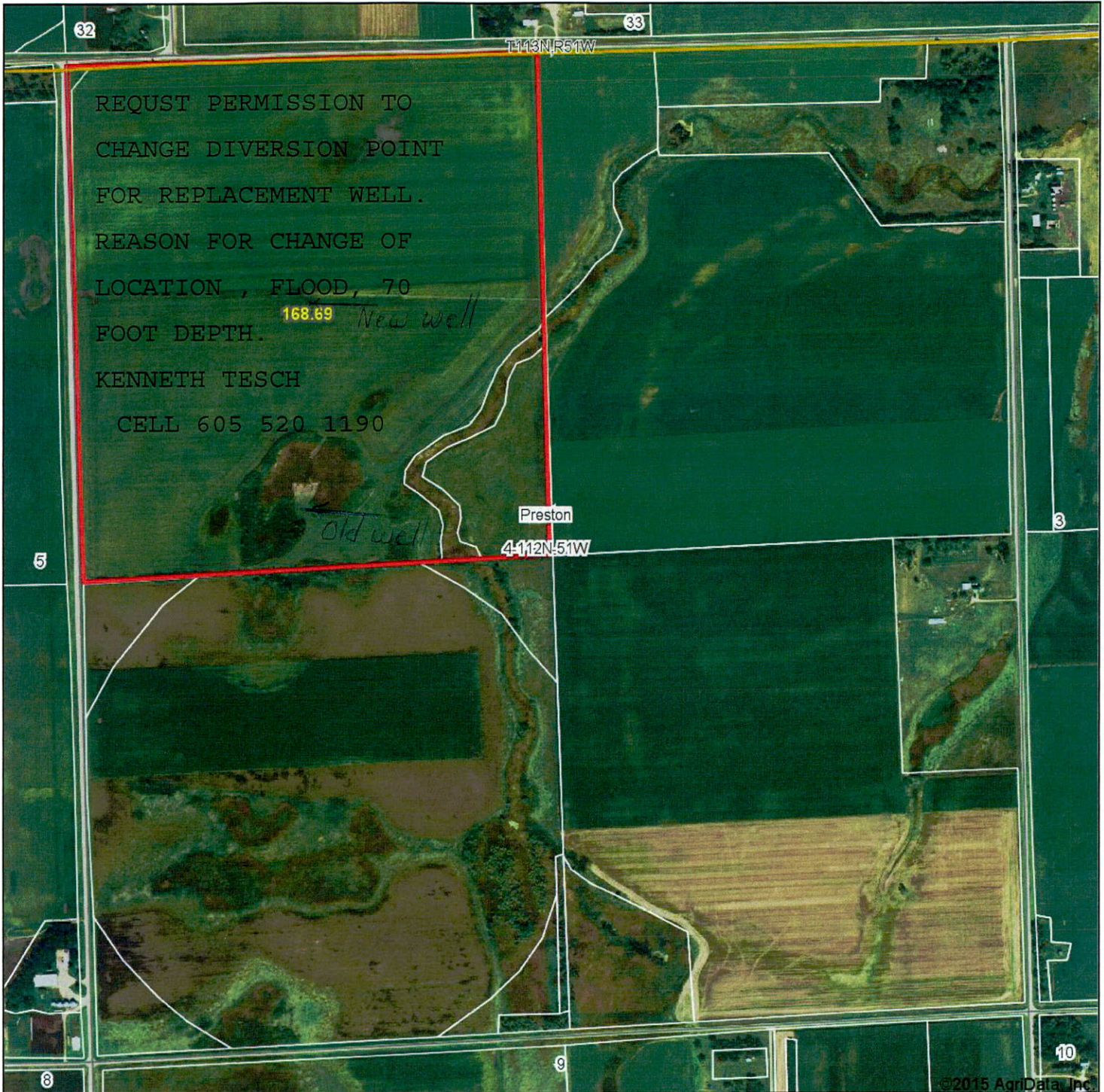
Bracken Capen
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that: The change in diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program

Aerial Map



map center: 44° 32' 9.31, 96° 57' 31.94
scale: 9943

Maps Provided By:
 **surety**
CUSTOMIZED ONLINE MAPPING
© AgriData, Inc. 2014 www.AgriDataInc.com

4-112N-51W
Brookings County
South Dakota



7/20/2015



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 24, 2015

2594-3

Kenneth Tesch
c/o Russ Tesch
46350 SD Highway 28
Estelline SD 57234

Dear Mr. Tesch:

Water Right No. 2594-3 appropriates 3.8 cubic foot per second (cfs) from two wells completed into the Brookings Management Unit of the Big Sioux aquifer to irrigate 266 acres in Brookings and Hamlin Counties. These two wells were constructed in the SW $\frac{1}{4}$ of Sec 33, T113N-R51W and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, T112N-R51W. The descriptions of the acres irrigated are as follows: 34 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, 34 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, 28 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, and 34 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, all in T113N-R51W, 34 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, 34 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, 34 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, 34 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, all in T112N-R51W. The original permit was conditioned with the standard well interference, well completion, and irrigation questionnaire qualifications.

You filed a request with the South Dakota DENR Water Rights Program to change the location of the well authorized by Water Right No. 2594-3 and currently located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, T112N-R51W to the approximate center of the NW $\frac{1}{4}$ of the same section. You explained in a phone conversation with Bracken Capen on July 22, 2015 and in the initial request sent to the Water Rights Program that the current location is prone to flooding and is not suitable for a well site.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in diversion point location is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate of 3.8 cfs under Water Right No. 2594-3 has been requested or approved. If the total diversion rate increases, a new water permit will need to be obtained from the SD DENR Water Rights Program.

The Water Rights Program requires that if the existing well is no longer in use, that it be plugged in accordance with South Dakota well drilling standards. If you have any questions, please contact Bracken Capen at (605) 773-3352.

Sincerely,


Jeanne Goodman
Chief Engineer
Water Rights Program



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 25, 2019

NOTICE

TO: KENNETH TESCH, 46238 196TH ST, ESTELLINE, SD 57234

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 2594-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

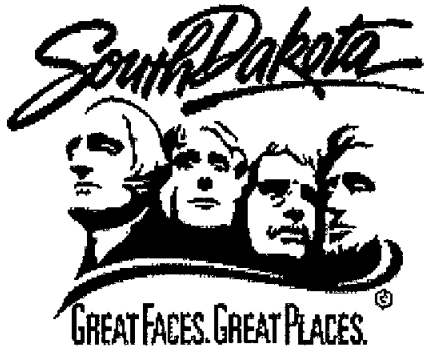
The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2594-3 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 before the **March 6, 2019** 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
www.denr.sd.gov

January 31, 2019

2594-3

Kenneth Tesch
46238 196th St
Estelline SD 57234

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 2594-3. 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2019

2594-3

Russell Tesch
46350 SD Hwy 28
Estelline SD 57234

Dear Mr. Tesch:

I am writing in follow-up to our phone conversation concerning Water Right No. 2594-3. The water right is currently held by Kenneth Tesch.

Enclosed, as we discussed, is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of **\$50.00**. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

2594-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 23, 2019

2594-3

Russell Tesch
46350 SD Hwy 28
Estelline SD 57234

Dear Mr. Tesch:

In February, we spoke on the phone concerning the need for an ownership change on Water Right No. 2594-3, currently held by Kenneth Tesch. A transfer of ownership form was sent to you on February 7th. To date nothing has been received back from you.

In the event you no longer have the original form, I am enclosing another partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of **\$50.00**. The check or money order for the fee can be made payable to the Water Rights Program.

If the water right should not be transferred at this time, please let me know.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 28, 2019

2594-3

Russell Tesch
46350 SD Hwy 28
Estelline SD 57234

Dear Mr. Tesch:

On February 7th and May 23rd, transfer of ownership forms were sent to you for changing ownership on Water Right No. 2594-3, currently held by Kenneth Tesch. To date we have not received anything back from you.

In the event you no longer have the original form, I am enclosing another partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of **\$50.00**. The check or money order for the fee can be made payable to the Water Rights Program.

It is important to keep ownership records up to date or at the very least address changes. If they are not up to date, correspondence concerning the water right does not get to the appropriate person. If ownership has not actually changed and you prefer the water right be left in Kenneth's name with correspondence directed to you as "manager" that would work too. Just let me know.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

PAID

SEP 13 2019

Ck# 1524

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

RECEIVED

SEP 13 2019

WATER RIGHTS
PROGRAM

No. 2594-3

Date: 9-9-19

I/We request that Water Right No. 2594-3

formerly owned by: Kenneth Tesch

be transferred to: (name & address) Russell Tesch

46350 SD HWY 28

Estelline, SD. 57234

Telephone No. 605-529-1190 cell
873-2257

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

266 acres: SW ¼ Section 33, T113N, R51W and NW ¼ Section 4, T112N, R51W

I/We understand that the validity of Water Right No. 2594-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Russell Tesch, the new owner, certify that the above information is true and correct.

Russell Tesch
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 13, 2019

RECEIVED OF Russell/Cheryl Tesch 46350 SD Hwy 28 Estelline SD 57234

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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 <u>2594-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **09204**

By Jeanne Goodman
Chief Engineer JM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 16, 2019

2594-3

Russell Tesch
46350 SD Hwy 28
Estelline SD 57234

Dear Mr. Tesch:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2594-3.

The ownership change has been completed. Water Right No. 2594-3, formerly held by Kenneth Tesch is now listed in your name.

Enclosed for your records is Receipt No. 09204 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

2594-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: RUSSELL TESCH, 46350 SD HWY 28, ESTELLINE, SD 57234

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 2594-3 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) 7135-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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) 7135-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2594-3 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 2, 2022** 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 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: <https://danr.sd.gov/iq> using this password: ZOKCVX**

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.

2594-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 22, 2022

2594-3
7135-3

Russ Tesch
46350 SD Hwy 28
Estelline SD 57234

Dear Mr. Tesch:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2594-3 and 7135-3. 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
Genny.mcmath@state.sd.us