

Water Right Number 2967-3

1. Considered 9.29, 1970
2. Name of Applicant KENNETH HOOGESTRAAT
3. Post Office Address CHANCELLOR
4. Amount of water claimed 2.28
5. Source of water supply 40' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 2E, 2S Miles 1 of PARKER
8. Proof of Publication
Received for
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Map No. 2293-3 Water Division No. 3 VERMILLION RIVER Dis. No. 2462-3
 (Blanks to be filled 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)

1. Name of Applicant Kenneth Hoogestraat
 Postoffice address Chancellor, 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) Contract
 3. Name of diversion work Hoogestraat #2
 4. Amount of water claimed (cubic feet per second) 2.28
 5. Source of water supply Well
 6. Location of point of diversion Well Center SE $\frac{1}{4}$ Sect 23 T99 R53

 _____ County Turner
 7. Annual period or periods during which water is to be used April - November
 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 160

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.
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 23 T99 R53	40		
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 T99 R53	40		
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 23 T99 R53	40		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 23 T99 R53	40		

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 3 years.
 11. Choice of newspaper for Notice of Intent to Appropriate water publication Parker New Era
Sioux Falls Argus Leader if necessary
 12. Principal Features of the Proposed Water Supply System.

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

Well

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

C. Works proposed to apply water to beneficial use.

Center Pivot Irritation

Estimated Total Cost \$ 40,000.00

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)

) ss.

County of Minnehaha

I, Kenneth Hoogestraat 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 Kenneth Hoogestraat

26

August

1976

Subscribed and sworn to before me this

day of

19

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2962-3
KENNETH HOOGESTRAAT CHANCELLOR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57015 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 with draws so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application AUGUST 30, 19 76
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application SEPTEMBER 9, 19 76
 Approved SEPTEMBER 30, 19 76, Recorded in Book 16 Page 279
 WATER RIGHT PERMIT NO. 2962-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2962-3 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 AUGUST 30, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 30, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 30, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith SEPTEMBER 30, 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 2.28 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 SEPTEMBER 30, 19 84; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 7th day of FEBRUARY, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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 13", Depth 40'
 (2) Casing, Type Steel, Diameter 14", Thickness .025
 (wood, concrete, steel, etc)
 (3) Perforated Screen,
 Type Johnson, Diameter 14", Length 15'
 (4) Gravel Pack, Thickness 4", Length of gravel pack 40

F. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

I. 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 - 5 Top Soil
5 - 20 Sand
20 - 40 Sand & Gravel

Depth to top of water bearing material 15'

Depth to bottom of water bearing material 40'

Thickness of water bearing material 25'

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

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

On same owner's property _____ rds. On property owned by others 160 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.

Kenneth H. Heston
 Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 45-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION)



NAME Kenneth Heegestrom
ADDRESS Chancellor, S. Dak. 57015
COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Center SE 1/4 Sec 23 T 99 R 53
2. LOCATION OF AREA TO BE IRRIGATED SE 1/4 Sec 23

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, Soybeans, Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-1196
6. SALINITY (EC x 10⁶) 1343
7. SODIUM (SAR) .28
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Turner Co. Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Kenneth Heegestrom
APPLICANT'S SIGNATURE
Alfred J. Duthie
APPROVED / DISAPPROVED

SUBSCRIBED AND SWORN BEFORE ME THIS
22 DAY OF April 1976

Alfred J. Duthie
(TITLE OR SEAL)

Alfred J. Duthie
APPROVED / DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

NOTARY PUBLIC STATE OF SOUTH DAKOTA
My Commission Expires February 15, 1982

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

Submitted by: Herbert Hoogstraet
 Address: Sh. McEllor, RD. 57015

Date Rec'd: Sept. 10, 1976
 Sample No.: 76-1196
 Identification: 11-33'
221, Sec. 23, T. 99N, R. 13E

WATER ANALYSIS

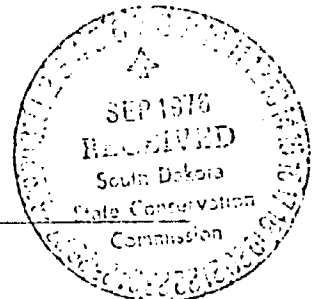
Calcium (Ca)	219	ppm*	12.35	me/l**
Magnesium (Mg)	8	ppm	0.47	me/l
Sodium (Na)	19	ppm	0.83	me/l
Potassium (K)	7	ppm	0.18	me/l
Sulfate (SO ₄)	590	ppm	15.27	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.22	me/l
Bicarbonate (HCO ₃)	383	ppm	4.78	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Meth. I Orange)	314	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1343	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23			
Sodium	4.38	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.50			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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



COMMENTS: Total cations 11.85 me/l
 Total anion 18.87 me/l

By: Shirley Hutton

Service Performed	Amount Due
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Irrigation analysis:	\$8.00 PAID
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Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1196

Amount Enc. \$15

Signed _____

Permit No. 2962-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Kenneth Hcongstraat

_____ the holder _____ of
Permit No. 2962-3, issued upon Application No. 2962-3, bearing date of priority of August 30,
1976 authorizing the diversion of 2.20 cu. ft. per second of the waters of _____
groundwater (one well) County of Turner, State of South Dakota at _____
a point north 48° west, 115 rods from the NE corner, Section 23, 199N, R53W

_____ 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 work is found in satisfactory
condition for diverting and conveying to the place of intended use 1.77 cu. ft. per second of water.

Date October 2, 1980


JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2962-3

(1) WHEREAS, On the 30th day of August A. D. 19 76
Kenneth Mcgogantast

made Water Right Application No. 2962-3 for a permit to use 2.28 cubic feet per second of the waters
of groundwater (one well)

County of Turner, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 20th day of September A. D. 19 76

Permit No. 2962-3, with a date of priority of August 30, 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 30th day of September A. D. 19 81 and for the
application to beneficial use of said water on or before the 30th day of September A. D. 19 84

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 1.77 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 a 136 acre circle in the SW 1/4, Section 23, T99N, R53W

(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 Boogstraat

_____ of Chancellor, SD

the holder _____ and owner _____ of said permit No. 2062-3 a water right, dating from August 30, 1976

_____ to use of 1.77 cubic feet per second of the waters

of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at _____ a point north 45° west, 115 rods from

the SE corner, Section 23, T99N, R53W

and conducted to and upon a 130 acre circle in the SE1/4, Section 23, T99N, R53W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2062-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of October A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

STATE OF SOUTH DAKOTA)
COUNTY OF TURNER) ss.
I

of said County and State, being duly sworn, on his oath says:
THE NEW ERA is a weekly newspaper of general circulation, printed and published in Parker, in Turner County and State of South Dakota by Earl J. Bormann, and has been such a newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that is has a bonafide circulation of more than 200 copies weekly, that it has been published within said county of Turner in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I, the undersigned, am

RE: Kenneth Hoogestraat, Chancellor

The first publication being made on Thursday, Sept. 16th 1976;
the second publication on Thursday, September 23rd 1976;
the third publication on 19.....
the fourth publication on 19.....
the fifth publication on 19.....
the sixth publication on 19.....
and the last publication on 19.....

that \$....., the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper, that no arrangements or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person who soever.

Notary Public, Turner County, South Dakota.

This application No. 2962-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10:00 A.M. All interested persons may appear and be heard.

By: Burton F. Jones
Water Rights Specialist

cc: Kenneth Hoogestraat, Chancellor, S. D. 57015.

Received Payment,

Form 6 - Notice of Intent to Appropriate Water

a. 2962-3

Publish first publication, on or before September 10, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 10, 1976

Notice is hereby given that Kenneth Hoogestraat
whose post office address is Chancellor, 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
2.28 cubic feet of water per second of time from the ground water through the
Hoogestraat #2, the point of diversion of which is to be located in the

Center of the SE 1/4
of Section 23, Twp. 99N, Range 53W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

SE 1/4, Section 23, T99N, R53W

This application No. 2962-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 1976, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Kenneth Hoogestraat, Chancellor, E.D. 57015

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7646

PIERRE, August 19 80

Kenneth Hoogestraat, Chancellor SD

RECEIVED OF 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. 2862-51	3	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2862-51		
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 John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2962-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / ROSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by KENNETH
HOOGESTRAAT of C. HANCELLOR holder
of Permit No. 2962-3, bearing date of priority of AUGUST 30, 19 76
authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in TURNER 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:

40' DEEP WELL WITH 14" STEEL CASING - 20' JOHNSON WIRE-WRAP SCREEN
FAIRBANKS MORSE SIZE 11M - 4' STAGE - 12" BOWLUS - 8" PUMP
POWERED BY 60HP US. ELECTRIC MOTOR

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

20' OF 8" MAINLINE TO CENTER PLOT

C. Works used to apply water to beneficial use.

PRINGLE 10 TOWER CENTER PLOT IRRIGATOR, WITH
#150 NELSON END GUN WITH BOOSTER PUMP ON END GUN

The system is in the following condition: GOODThe point of diversion is located N 43°W, 115 RODS FROM THE SWE
CORNER, SECTION 23, T99N, R53WThe works are capable of diverting and conveying to the place of use 1.77 (800 GPM)
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:

FOR IRRIGATING A 136 ACRE CIRCLE IN THE
SE⁴, SECTION 23, T99N, R53W

comprising a total of 136 acres of land.

Date

AUGUST 8, 1980

(Signature)

 **Department of
Water & Natural Resources**

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

February 17, 1989

Kenneth Hoogestraat
RR 1, Box 44
Chancellor, SD 57015

Dear Mr. Hoogestraat:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

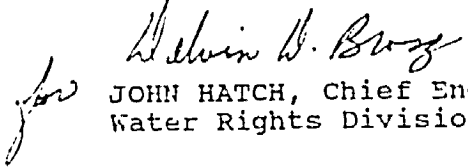


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division



2962-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

NOTICE

TO: KENNETH HOOGESTRAAT, 46117 276TH ST, CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 2962-3 & 3675-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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) 2962-3 & 3675-3 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 March 8, 2002, 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.

2962-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KENNETH HOOGESTRAAT
46117 276TH ST
CHANCELLOR SD 57015

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Kenneth Hoogestraat* B. Date of Delivery *1-17-02*

C. Signature *Kenneth Hoogestraat* ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☒ Yes
If Yes, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Registered ☐ Insured Mail
☐ Return Receipt for Merchandise ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (See Instructions)

7001 2510 0004 4797 5132

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



2962-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 2002

2962-3
3675-3

Kenneth Hoogestraat
46117 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2962-3 and 3675-3.

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

31.6

38.7

14.0

56.1

99-53

54.1



2-169

Kenneth Hoogestraat Irrigation System #2
Kenneth Hoogestraat, Chancellor, S.Dak. 57015 Owner.

Land To Be Irrigated:

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 23-99-53 - 40 ac.
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 23-99-53 - 40 ac.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 23-99-53 - 40 ac.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 23-99-53 - 40 ac.

Total 160 ac. more or less

R 53 W

5.3

9.2

23

36.3

57.7

T 99 N

74.1

26.0

8.0

PROPOSED IRRIG.
WELL No. 2



115 RODS N. 48° W.

99-53

23

24

MAP NO 243 B MAP NO 2462-3

NOT TO SCALE

99.53

54.1

23R

5.3

9.2

23

2962

~~137.4~~
69.5

4.8

67.7

108.1

26.0

8.0

4.7

99.53

29623



2962-3

**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 4, 2007

2962-3
3675-3

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

Thank you for contacting us about the ownership change needed for Water Right Nos. 2962-3 and 3675-3.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change with each water right. Please review the forms and complete as needed. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
JAN 12 2007
WATER RIGHTS
PROGRAM

No. 2962-3
Date: 1-9-07

I/We request that Water Right No. 2962-3

formerly owned by: Kenneth Hoogestraat

be transferred to: (name & address)

owners { Linda Bartels Hoogestraat Farm Partnership -
Neil Hoogestraat 46080 276 ST (Neil)
Bruce Hoogestraat Chancellor, SD 57015 Telephone No. 605-647-5620
Dale Hoogestraat

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

136 acres - SE 1/4 Section 23, T99N, R53W

I/We understand that the validity of Water Right No. 2962-3 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 Two Dollars and Fifty Cents (\$2.50) 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 Hoogestraat Farm Partnership, the new owner, certify that the above information is true and correct.

Neil Hoogestraat

(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 January 12, 20 06

RECEIVED OF Hoogestraat Farm Partnership, 46080 276th St., Chancellor SD 57015

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2962-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

2799

By

Darland Ehlke

Chief Engineer

gn



January 16, 2007

2962-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

2962-3
3675-3

Hoogestraat Farm Partnership
% Neil Hoogestraat
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of the irrigation questionnaires, ownership changes and filing fees you submitted for Water Right Nos. 2962-3 and 3675-3.

The ownership changes have been completed. The water rights formerly listed in the name of Kenneth Hoogestraat are now listed in the name of Hoogestraat Farm Partnership owned by Linda Bartels, Neil Hoogestraat, Bruce Hoogestraat and Dale Hoogestraat. Your mailing address will be used for any correspondence concerning the water rights (until you notify us otherwise).

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures: Receipt Nos. 02798 and 02799



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 23, 2009

NOTICE

TO: HOOGESTRAAT FARM PARTNERSHIP, NEIL HOOGESTRAAT, 46080 276TH ST,
CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 2962-3 & 3675-3 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) 6763-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 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 questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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.

2962-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 6197
Status: **Delivered**

Your item was delivered at 12:21 PM on January 27, 2009 in CHANCELLOR, SD 57015. The item was signed for by N HOOGESTRAAT.

Track & Confirm

Enter Label/Receipt Number.

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6197	HOOGESTRAAT FARM PARTNERSHIP NEIL HOOGESTRAAT 46080 276TH ST CHANCELLOR SD 57015	
	Waiver of Signature ☐ YES ☐ NO	
	Postmark Here	
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811	
		☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 2009

2962-3
3675-3
4748-3
6763-3

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

Dear Sir:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2962-3, 3675-3 and 6763-3. Paul Petersen had already returned the questionnaire for No. 4748-3.

As you requested, I have made the following changes to the operator status for the above water permits/rights.

- Nos. 2962-3 and 3675-3 will be directed to Hoogestraat Farm Partnership;
- Nos. 4748-3 and 6763-3 (owned by Kenneth Hoogestraat) will be directed to you as operator.

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
email: genny.mcmath@state.sd.us



2962-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: HOOGESTRAAT FARM PARTNERSHIP, NEIL HOOGESTRAAT, 46080 276TH ST,
CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 2962-3 & 3675-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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 **10:00 am, March 10, 2010**, 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) 2962-3 & 3675-3 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 **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted 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: <https://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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 2, 2010

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

RE: 2009 Irrigation Questionnaires for Water Right Nos. 2962-3, 3675-3, 4748-3 & 6763-3

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2962-3, 3675-3, 4748-3 and Water Permit No. 6763-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

With reference to your notation on ownership changes needed for Water Right Nos. 2962-3 and 3675-3 from Hoogestraat Farm Partnership to Hoogestraat Farms LLC, enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). 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,

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

enclosures

c: Kenneth Hoogestraat



2962-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: NEIL HOOGESTRAAT, OP, 46080 276TH ST, CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2962-3 & 3675-3 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) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 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 questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, 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>

c: KENNETH HOOGESTRAAT, 46117 276TH ST, CHANCELLOR SD 57015

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

February 13, 2012

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

RE: Water Right Nos. 2962-3, 3675-3, 4748-3 and Water Permit No. 6763-3

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 2962-3, 3675-3, 4748-3 and Water Permit No. 6763-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Water Right No. 4748-3 and Water Permit No. 6763-3 are listed in the name of Kenneth Hoogestraat. Do they need to be transferred to the farm partnership or to your name? If so, I am enclosing partially completed transfer forms to be used for changing ownership. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). 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".

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

enclosures



2962-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: NEIL HOOGESTRAAT, 46080 276TH ST, CHANCELLOR, SD 57015
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 2962-3 & 3675-3 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) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 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 questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, 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.

2962-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

2962-3
3675-3
4748-3
6763-3

Neil Hoogestraat
Hoogestraat Farm Partnership
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2962-3, 3675-3 & 4748-3 and Water Permit No. 6763-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I note from the files that Water Right Nos. 4748-3 and 6763-3 are still listed in Kenneth Hoogestraat's name with you as the operator. If an ownership change is needed, please complete the enclosed forms and return them to us with a required filing fee of \$50 each (total of \$100).

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

enclosures



2962-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: HOOGESTRAAT FARMS LLC, NEIL HOOGESTRAAT, 46080 276TH ST, CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 2962-3 & 3675-3 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) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 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 questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, 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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 27, 2014

2962-3
3675-3
4748-3
6763-3

Neil Hoogestraat
Hoogestraat Farms LLC
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit No. 6763-3 and Water Right Nos. 2962-3, 3675-3 and 4748-3. 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

2962-3

DALE L. STRASSER, P.C.

ATTORNEYS AT LAW
P.O. BOX 428
FREEMAN, S.D. 57029

Dale L. Strasser
dale@strasserlawoffice.com

Diana L. Randall, Associate
diana@strasserlawoffice.com

OFFICE (605) 925-7745
FAX (605) 925-7480

www.strasserlawoffice.com

RECEIVED

MAR 16 2016

WATER RIGHTS
PROGRAM

March 14, 2016

Attn: Water Rights Transfer - PMB2020
DENR Water Rights Program
523 E. Capitol Ave.
Pierre, SD 57501-3182

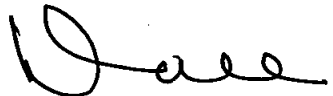
RE: Transfer of Hoogestraat Farms, L.L.C. Real Estate

Dear Sir/Madam:

Enclosed, please find notice of Transfer of Ownership of Water Right Permit #2962-3 as given by Linda J. Bartels together with Transfer of Water Permit #3675-3 as given by Dale L. Hoogestraat. Also enclosed, please find my office check in the amount of \$100 to cover the filing fees.

If you have any further questions, please feel free to contact me.

Very truly yours,



Dale L. Strasser

DLSgf
Enclosure
cc: Dale Hoogestraat
Linda Bartels

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2962-3Date: 3-11-2016I/We request that Water Right/Permit No. 2962-3 formerly owned by:Noogstraat Farms, L.L.C.

be transferred to:

New Owner Name: Linda J. BartelsAddress: 45849 253rd StCity, State, Zip Humboldt SD 57035 Telephone No. 605.366.3669

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

SE 1/4 23-99-S3, Turner Co.
SD

- ☒ I understand that the validity of Water Right/Permit No. 2962-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Linda J. Bartels, the new owner, certify that the above information is true and correct.

Linda J. Bartels
(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 3/16, 20 16

RECEIVED OF Dale L Strasser PC PO Box 428 Freeman SD 57029

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>2962-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07792**

By

James Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 16, 2016

2962-3

Linda J Bartels
45849 353rd St
Humboldt SD 57035

Dear Ms. Bartels:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 2962-3.

The ownership change has been completed. Water Right No. 2962-3 formerly held by Hoogestraat Farms LLC is now listed in your name.

For informational purposes, I am enclosing a copy of the water right for your records. Also included is a past irrigation questionnaire pertaining to this water right. This will give you an idea of what type of information you will need to keep track of during the irrigation season. The actual form you will need to complete and return will be sent to you in October, 2016.

The receipt for the filing fee will be forwarded with a copy of this letter to Dale Strasser. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

c: Dale L Strasser, Attorney at Law, PO Box 428, Freeman SD 57029



2962-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: LINDA J BARTELS, 45849 253RD ST, HUMBOLDT, SD 57035

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 2962-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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 7, 2018 at 10:00 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) 2962-3 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 7, 2018** 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

February 7, 2018

2962-3

Linda J Bartels
45849 253rd St
Humboldt SD 57035

Dear Ms. Bartels:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 2962-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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