

1. Considered: _____, 19____ Water Right No. 3213-3A
2. Name of Applicant Dean Sanderson
3. Post Office Address Box 141 Aurora, S.D. 57002
4. Amount of Water Claimed no additional 695 maximum acre feet _____
5. Source of Water Supply one 56' additional well on permit 3213-3
6. Water to be used for IRR acres to be irrigated no add'l (110)
7. County Brookings about 2 miles North of Aurora
8. PROOF OF PUBLICATION: Received 10-28-83 Not Received _____
- APPLICATION: Approved _____ Subject to _____
- Not Approved _____ Action Deferred _____

PRIORITY

original priority date for 3213-3

Dated Received 7/13/83 Application complete-yes x no _____ FEE 50.00

Remarks _____

Corrected Application ^{MAP & APPL} Received 7-17-83 Period of Annual Use 4/1 thru 10/31

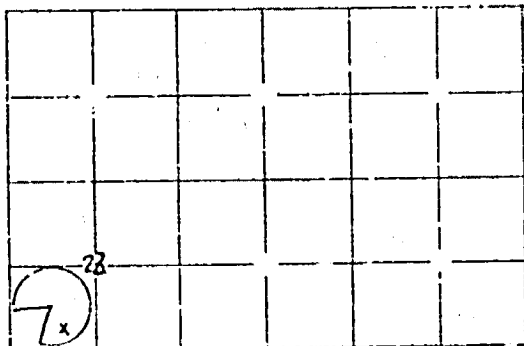
WATER
QUALITY

Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)

W1-1 Description same as application-yes _____ no _____ Remarks _____

has WQ approval for SW₄ 23 - new well 660' from original well same aquifer meets

SCC regulations *Approved WQ approval on original 3213-3 on 9/13/83 for*
Disapproved _____ Returned *NE₄ Sec 22 & NW₄ Sec 23 - 110N-49W*



Diversion Point _____
SE₄ SW₄ Section 23-110N-R49W

Land to be irrigated _____
SW₄ Section 23-110-49

WELL LOG

Driller Kaiser Well Drilling Licensed - yes x no _____

Depth 56' deep

Remarks _____

+++++

8/13/83

Derry, Westland
(Signed)

.....

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

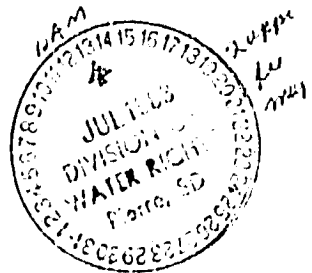
REMARKS	Date
F.F. & C.	Final Decision, including F.F. & C. of Law were adopted _____
OF LAW,	Date _____
FINAL	Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS	adopted _____
ETC.	Remarks _____

To file 3213-3A

Dean Sanderson

The original priority date of 5 October 1976 will be assigned to additional well. This action will be taken because on 13 August 1981 Burton Jones, Div. of Water Rights, inspected permit 3213-3. At that time (before 5 year construction date was up 25 January 1983) the additional well was found but Water Rights did not inform applicant of the requirement for new permit; therefore, Water Rights was in error.

Dale M. Selkirk
11 Oct 83

No. 3213-3AMap No. 3213-3A Water Division No. 3 BIG SIOUX RIVER District
2475-3 Above for Office Use 10170202

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion XX

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Dean Sanderson Phone No. _____Post Office Address Box 141 Aurora State SD 57002
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____ completed

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

3. Name of diversion work Dean Sanderson Irrigation Project #14. Amount of water claimed (cubic feet per second) no additional5. Source of water supply well (56')6. Location of point of diversion SE 1/4 SW 1/4 Section 23, T110N, R49WCounty Brookings7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated no additional

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 covered by 3213-3	
NW 1/4 SW 1/4 23-110-49	33
NE 1/4 SW 1/4 "	33
SW 1/4 SW 1/4 "	11

Land Description	No. Acres Irr.
SE 1/4 SW 1/4 23-110-49	33

Attach sheet if more space is needed

10. Time required to complete construction of water supply system: completed years. Additional time required to complete application of water to the proposed beneficial use _____ years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water _____

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source
pumpB. Works proposed to transport water to place of use.
pipeC. Works proposed to apply water to beneficial use.
center pivot

Estimated Total Cost \$ _____

Attach. 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 Brookings) ss.I, Dean Sanderson 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 Dean SandersonSubscribed and sworn to before me this 18 day of July, 1983Doranne R. DeBoer
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 3213-3A

Dean Sanderson Box 141 Aurora
(Applicant) (Post Office Address)
South Dakota With the following qualifications.
(State)

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate domestic wells or in adequate wells having prior water rights.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application July 13, 1983
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—
 Approved November 30, 1983, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 3213-3A

The Water Management Board hereby grants and issues this Water Right Permit No. 3213-3A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 5, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before —, 19—
3. The whole of said work is ~~to be completed on or before~~ —, 19—
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is —, 19—
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 No add'l 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before November 30, 1983; said water to be used during the following described annual period: April 1 thru October 31

Witness my hand this 4th day of January, 1984

THE WATER MANAGEMENT BOARD

By: [Signature]
 Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License issued February 2, 1984

D Well Information

- (1) Drill Hole, Diameter 18", Depth 56'
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 14", Thickness 3/8"
- (3) Screen, Type Screen Steel, Diameter 14", Length 10'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 20'

E Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Attach a copy of test well log)

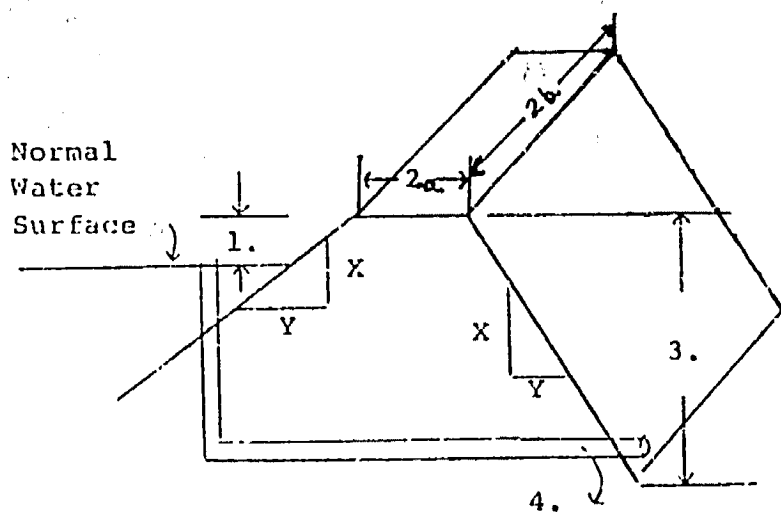
- Depth to top of water bearing material 34'
- Depth to bottom of water bearing material 56'
- Depth to water (ground surface to water level) 34'

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

- On same owner's property 600 rds.
- On property owned by others _____ 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
- Drainage area above dam _____

Alan Paulson
Signature of Applicant

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION No. 3213-3A, Dean Sanderson

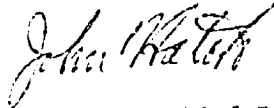
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 3213-3A, Dean Sanderson Box 141, Aurora, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 3213-3A because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate domestic wells or in adequate wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
October 12, 1983

REPORT ON APPLICATION NO. 3213-3A
Dean Sanderson
October 11, 1983

Application No. 3213-3A is for an additional point of diversion in the SW $\frac{1}{4}$ Section 23, T110N, R49W. The well is 56 feet deep and withdraws water from the Big Sioux-Aurora Aquifer.

The Big Sioux-Aurora management unit contains an estimated 165,060 acre feet of recoverable water (Hedges, 1982). Water use and amounts appropriated are as follows:

Year	Number of Permits	Amount Appropriated (acre feet)	Amount Reported Used (acre feet)
1979	53	27,732	1,172
1980	52	26,454	1,260
1981	58	27,333	2,607
1982	57	26,991	1,572
1983	52	23,855	not tabulated

Amount appropriated

23,855 ac ft/165,060 ac ft = 14% of available

Amount of appropriated reported used

2,607 ac ft/23,855 = 11% of appropriated

Amount of available reported used

2,607 ac ft/165,060 ac ft = 1.6% of available

The Division of Water Rights monitors and maintains 14 observation wells in the Aurora management unit. These wells dating from 1957 to present have shown stable water levels in this management unit.

Conclusions

1. Unappropriated water is available from the Big Sioux-Aurora management unit.
2. Observation wells exist and are being monitored in this management unit.
3. A review of hydrographs for the wells does not indicate any problems with the aquifer.

Gale N Selken

GALE N SELKEN
Hydrologist

1. Dept. of Water and Natural Resources, Division of Water Rights Computer file on water levels, Irrigation Questionnaire data, and Water Right Permit files (unpublished).
2. Hedges, Burch, Iles, Evaluation of Groundwater Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, 1982.

100
ON
91

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Dean Sanderson
ADDRESS Aurora SD 57002
COUNTY Brookings Co.

LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 Sec 23 110-49
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 Sec 23 110-49

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____
4. CROPS TO BE IRRIGATED corn

WATER QUALITY

5. SAMPLE NUMBER 76-1424
6. SALINITY (EC x 10⁶) 8.77 (med-high) (877)
7. SODIUM (SAR) 0.163 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 _____ 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.

SUBSCRIBER AND SIGNATURE OF THIS
FORM MAY BE USED FOR 1961

(THIS IS A COPY)

COPY TO BE

DATE OF ANALYSIS _____
ANALYST'S NAME _____
the relative

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Brookings

Name: Dean Sanderson
Address: Box 141
Aurora, SD 57002

Date Rec'd: JJA 27, 1983
Sample No.: 33-0343
Source: Well
Legal ID: 110N494230

WATER ANALYSIS

Calcium (Ca)	138	ppm*	5.39	me/l**
Magnesium (Mg)	45	ppm	3.70	me/l
Sodium (Na)	15	ppm	0.55	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	250	ppm	5.41	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.03	me/l
Bicarbonate (HCO ₃)	307	ppm	5.04	me/l
Carbonate (CO ₃)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.15	ppm		
Hardness (EDTA as CaCO ₃)		ppm		1. p.p.g.***
Total solids		ppm		
Total Cations			11.20	me/l
Total Anions			10.54	me/l
Alkalinity (Methyl Orange)	252	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	950	micromhos per cm at 25 C		
Sodium Adsorption Ratio	0.23	Adjusted SAR	0.72	
Sodium	5.73	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.02			

Others:

*ppm=parts per million

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

**me/l=millequivalents per liter

COMMENTS

by: Shirley [Signature]

Service Performed:

Irrigation Analysis

Total Cost: \$18.00
Amount Received: \$18.00
Balance Due: \$0.00

Make checks payable to: "SDSU Water Quality Lab"

Please write lab number on your check!

Lab No. 33-0343

STRAIGHT APPROVAL

44040 WHT/100130

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Dean Sanderson

LEGAL DESCRIPTION: NW 1/4 22-110-22 = 132 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:



RECOMMENDED MANAGEMENT:

We recommend conservation tillage to control wind and water erosion.

SIGNATURE

DATE

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Brookings

Name: Dean Sanderson
Address: Box 141
Aurora, SD 57002

Date Rec'd: JJA 27, 1983
Sample No.: 33-0347
Source: Well
Legal ID: 110449722a

WATER ANALYSIS

Calcium (Ca)	107	ppm*	5.34	me/l**
Magnesium (Mg)	22	ppm	1.31	me/l
Sodium (Na)	0	ppm	<u>0.39</u>	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	118	ppm	2.46	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.03	me/l
Bicarbonate (HCO ₃)	293	ppm	4.64	me/l
Carbonate (CO ₃)	1	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.14	ppm		
Hardness (EDTA as CaCO ₃)		ppm		1.0.0.***
Total solids		ppm		
Total Cations			7.50	me/l
Total Anions			7.18	me/l
Alkalinity (Methyl Orange)	232	ppm(as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO ₃)		
Electrical Conductivity	500	microamps per cm at 25 C		
Sodium Adsorption Ratio	0.21	Adjusted SAR	0.40	
Sodium	5.15	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.42			
Others:				
*ppm=parts per million				***g.p.g.=grains per gallon
**me/l=milliequivalents per liter				

COMMENTS

By: Shirley Gittan

Service Performed:

Total Cost: \$ 23.00

Irrigation Analysis

Amount Received: 23.00

Balance Due: 0.00

Make checks payable to: "SDSU Water Quality Lab"

Please write Lab number on your check!

Lab No. 33-0347

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
Division of Conservation

Office Use Only

WRH

OWNERS NAME: Dean Sanderson OWNERS ADDRESS: Aurora
SD 57002

COUNTY LAND LOCATED IN: Brookings PHONE: 605-681-1111

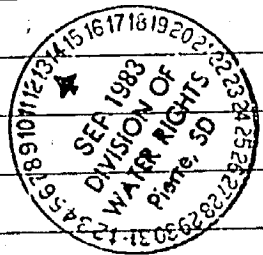
TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION: NW 1/4 Sec 23, T110N, R49W
Depth: 65'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____
Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
NW 1/4 Sec 23, T110N, R49W	132		



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1973
LEGAL DESCRIPTION: SW 1/4 Section 23, T110N, R49W
IN WHAT NAME: _____

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

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ (Specify)
OTHER: _____

6. CROPS TO BE IRRIGATED: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 02-0208 10. ADJUSTED (SAR): 1.22
8. SALINITY (EC X 10⁶): 60 11. PERCENT SODIUM: 1.63
9. SODIUM (SAR): 0.38

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: NW 1/4 Sec 23, T110N, R49W
by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4)

SUBSCRIBED AND SWORN BEFORE ME THIS

10 DAY OF July, 1983

(NOTARY PUBLIC)

Commission Expires: April 27, 1984

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED
DISAPPROVED
CONDITIONALLY APPROVED

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

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Dean Sanderson OWNERS ADDRESS: Aurora

St: 57002

COUNTY LAND LOCATED IN: Brookings PHONE: 000

TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION NE 1/4 Sec 22, T110N, R49W

Depth 39'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location _____

Legal Description	Acres	Legal Description	Acres
NE 1/4 Sec 22, T110N, R49W	11 1/4		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1976

LEGAL DESCRIPTION: SW 1/4 Sec 23, T110N, R49W

IN WHAT NAME: _____

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

5. TYPE OF IRRIGATION: GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____ (Specify) _____

6. CROPS TO BE IRRIGATED: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 83-0247 10. ADJUSTED (SAR): 0.47

8. SALINITY (EC X 10⁶): 600 11. PERCENT SODIUM: 5.15

9. SODIUM (SAR): 0.71

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a m./p.m., on 19 77, at the following location: NE 1/4 Sec 22, T110N, R49W by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (49-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

11 DAY OF April, 1977

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

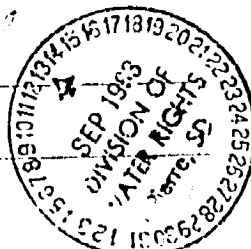
APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



CONDITIONAL

#4943

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATIONNAME OF APPLICANT: Dean SandersonLEGAL DESCRIPTION: NE1 22-110-42 & 114SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The drainageway must be maintained in grass and/or alfalfa.

Should the water table become perched in the soils of Lamoure and Volga adequate drainage must be provided.

RECOMMENDED MANAGEMENT:

The areas mapped as Lamoure (La) and Volga (Vp) must be maintained in grass and/or alfalfa to reduce trafficability problems.

We also suggest the use of conservation tillage practices to control water and wind erosion.

John W. F. H.
SIGNATURE

DATE



3213-3

~~SOUTH DAKOTA~~
~~APR 1983~~
Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 0 Pierre, South Dakota 57501
Phone 605/773-3258

July 20, 1983

Dean Sanderson
Aurora, SD 57002

Dear Mr. Sanderson:

In reviewing your soil and water compatibility application for the NE 22-110-49 = 114 acres, the irrigation staff is recommending a Conditional approval of your application to the State Conservation Commission at their September 8, 1983 meeting. The Conditional recommendation is based on the Lamoure and Volga soils, which are subject to excess wetness and a perched water table. The restrictions and management recommendations are as follows:

RESTRICTIONS:

That the drainage way be maintained in grass and/or alfalfa.

Should the water table become perched in the soils of Lamoure and Volga that adequate drainage be provided.

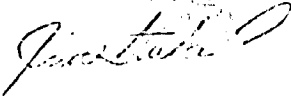
MANAGEMENT RECOMMENDATIONS:

That the areas mapped as Lamoure (La) and Volga (Vp) be maintained in grass and/or alfalfa to reduce trafficability problems.

We also suggest the use of conservation tillage practice to control water and wind erosion.

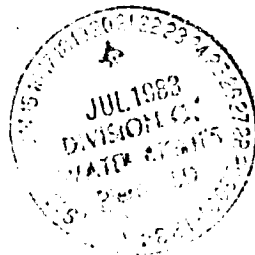
If you have any questions concerning your application please feel free to contact this office.

Sincerely,



Jim Stukel
Irrigation Program Director

cf



3213-3

Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 Pierre, South Dakota 57501
Phone 605/773-3253

July 20, 1983

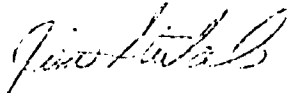
Dean Sanderson
Aurora, SD 57002

Dear Mr. Sanderson:

In reviewing your soil and water compatibility application for the NW 23-110-49 = 132 acres, the irrigation staff is recommending a Straight approval of your application to the State Conservation Commission at their September 8, 1983 meeting. This recommendation has been made because we can foresee no problems with good management. However, we do recommend Conservation tillage to control wind and water erosion.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,



Jim Stukel
Irrigation Program Director

cf



Water Rights Division
605 773-3352

June 14, 1983

3213-3

Dean Sanderson
Aurora SD 57002

Dear Mr. Sanderson:

On May 17, 1983, Mr. Gale Selken of this office inspected the systems authorized by your Permit No. 3213-3. Upon inspection it was found that you are permitted for three wells and four wells have been developed. Also, two of the three wells under your permit, do not have soil and water compatibility approval from the State Conservation Commission.

In order to bring your Permit into compliance with State Laws, it will be necessary for you to obtain soil and water approval for wells in the HW $\frac{1}{2}$ Section 23 and the NW $\frac{1}{4}$ Section 22, T110N, R49W, to irrigate the same quarters. It will also be necessary for you to submit an application for the additional point of diversion.

Enclosed is a soil and water compatibility application form for each well description. Please check them over, and if the information is correct, sign, have notarized and return them to this office. They will then be forwarded to the Conservation Commission for further processing.

Also enclosed is a partially completed permit application for the additional point of diversion. Check over, correct or add information where necessary sign and have the application notarized before returning it to this office. A signed map showing the location of the wells and land to be irrigated should be submitted with the application. A suggestion would be to contact your ASCS office and obtain an aerial photo (see the enclosed instruction sheet concerning map). A drillers log of the new well is required, and if possible, submit logs for the other three wells. A \$50.00 filing fee is required for this type of application.

If you have any questions, or need assistance in completing the application forms, contact this office.

Sincerely,

GENNY MCNATH
Water Rights Specialist

enclosures

cc: Conservation Commission

Instruction to Newspaper - Publish first publication of the following Notice on or before October 17, 1983 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 3213-3A to ~~Appropriate Water~~
~~and/or to~~ Amend Water Permit ~~or Water Rights~~ No. 3213-3

Notice is hereby given that Dean Sanderson whose mailing address is Box 141, Aurora, South Dakota has made an application for a permit

to add one diversion point (no new appropriation of water) from one well 56 feet deep to Water Permit No. 3213-3. The new point of diversion to be located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, T110N, R49W. Said water to be used for the purpose of providing irrigation on 430 acres located in the SW $\frac{1}{4}$ and NW $\frac{1}{4}$ Section 23; NE $\frac{1}{4}$ Section 22 all in T110N, R49W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 3213-3A because ~~1) unappropriated water is available,~~
1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and
3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 East Capitol, Pierre, South Dakota on November 30 19 83 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 18, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40, ~~(transfer of land)~~ 46-5-38.1, 46-5-39 thru 46-5-39.5, ~~(10,000 AFA)~~ 46-5-20.1, 46-5-20.1.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:01 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15.02 thru 74:02:01:15.05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (615 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 18, 1983.

Affidavit of Publication

State of South Dakota

County of Brookings

ss

Notary Public

_____ of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the _____

Legal No. 587

21 lines x .839

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for _____

successive week(s), to-wit:

October 17, 1983 19.....
October 24, 1983 19.....
..... 19.....
..... 19.....

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Thirty-one dollars and fifty-two cents

Dollars

Subscribed and sworn to before me this _____ day of

October, 1983

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires _____, 19__



Legal No. 587, 2x, Oct 17, 24
NOTICE OF HEARING
on Application No. 3213-3A
to Amend Water
Permit No. 3213-3

Notice is hereby given that Dean Sanderson whose mailing address is Box 141, Aurora, South Dakota has made application for a permit to add one diversion point (no new appropriation of water) from one well 56 feet deep to Water Permit No. 3213-3. The new point of diversion to be located in SE 1/4 SW 1/4 Section 23, T110N, R49W. Said water to be used for the purpose of providing irrigation on 430 acres located in the SW 1/4 and NW 1/4 Section 23: NE 1/4 Section 22 all in T110N, R49W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 3213-3A because 1) will be no unlawful impairment of existing right 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 East Capitol, Pierre, South Dakota on November 30, 1983 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witness according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 18, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, SWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request must be filed with the Chief Engineer by November 18, 1983.

RECEIPT

WATER RIGHTS COMMISSION

No 4 9289

State of South Dakota

PIERRE, July 13, 1983

RECEIVED OF Dean Sanderson, Box 141, Aurora, SD 57002
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 3213-3A (examination, processing, recording and filing)	50	00
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 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 H. Walsh*
Chief Engineer, Executive Officer
JUL 13 1983



**Department of
Water & Natural Resources**

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 4, 1984

Dean Sanderson
Box 141
Aurora SD 57002

Dear Sir:

Enclosed herewith is your Water Permit No. 3213-3A as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 3213-3A.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure

RECEIPT

Division of Water Rights

No 4 9482

South Dakota Department of Water and Natural Resources

Pierre, January 11, 1984

RECEIVED OF Dean Sanderson, Box 141, Aurora, SD 57002

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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. 3213-3A	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH/ms

**IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS** Ph. 854-3744

Section 23-110-49

A 4x4 grid with handwritten numbers. The number '1' is in the second row, second column. The number '2' is in the fourth row, second column. There are some faint marks in the first row, second column and the fourth row, first column.

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[illegible]

Big Sioux River Water District
10170202

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Dean
Sanderson of Aurora holder of
Permit No. 3213-3 & 3213-3A, bearing the priority of 5 October 1976 authorizing
the diversion of 6.0 cu. ft. per second of the waters of groundwater
for irrigation purposes, in Brookings County.

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

A. Works used to divert the water:

- NE⁴ Sec 22 - 38' well 14" casing 10' SS screen National pump N260 6" pump & 60HP Newman Electric Motor
- NW⁴ Sec 23 - 45' well 14" casing 15' SS screen National pump N260, 60HP General Electric motor
- SW⁴ Sec 23 - 2 - 54' wells 14" casing 15' SS screen National pumps Model N260 8" N well 40HP GE motor S well 40HP Newman motor

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

- NE⁴ Sec 22 - 600' 8" Buried PVC pipe to center of pivot
- NW⁴ Sec 23 - 1330' 8" Buried PVC pipe to center of pivot
- SW⁴ Sec 23 - 660' 6" Buried PVC from south well to N well
- 700' 8" Buried PVC from N well to center of pivot

C. Works used to apply water to beneficial use:

- NE⁴ Sec 22 - 7 tower Valley electric drive center pivot w Nelson #100 gun
- NW⁴ Sec 23 - 8 tower Electrogator pivot with Nelson #200 end gun
- SW⁴ Sec 23 - 8 tower Electrogator pivot with Nelson #200 end gun

The system is in the following condition good

The point of diversion is located Sec 22 1320' W 720' S of NE cor; Sec 23 400' S 300' E of NW cor; 900' E 60' N & 900' W & 660' N of SW cor; All in T110N R49W

The works are capable of diverting and conveying to the place of use 5.34 (800 gpm per pivot)
cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in T110N R49W

Section 23		Section 22	
NWNW	33 Acres	NWNE	33 Acres
NENW	33	NENE	33
SWNW	33	SWNE	33
SENW	33	SENE	1.5

comprising a total of 356 acres of land and the license should be issued for 5.34 cfs

Applicable permit qualifications have been complied with X Yes No By permit 3213-3A

Exceptions to compliance are: Date 1 Feb 84

initial inspection by Burton Jones Aug 13, 81
Follow up and completion of this form
done by Gale Selken. Mr. Jones inspection
sheet utilized in this form.

Gale W. Selken
signature

State of South Dakota
Water License No. 3213-3A

(1) Dean Sanderson
of Box 141, Aurora, South Dakota 57002
made Application No. 3213-3A, July 13, 1983 for a water permit to appropriate
no add'l cubic feet per second of water from groundwater (one additional well on Permit No. 3213-3)
Brookings County, South Dakota for Irrigation purposes.
Permit No. 3213-3A, with a priority date of October 5, 1976
was approved November 30, 1983 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be~~ completed ~~on or before~~ and for the application to beneficial use of said
water ~~on or before~~

The applicable portions of Water Permit No. 3213-3 have been incorporated into this
Water License No. 3213-3A.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 5.09 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1320'W 720'S of NE Corner Section 22 (AA);
Section 23
400'S 300'E of NW Corner (BB); 900'W 60'N (CD) and 900'W 660'N (CD) of S4 Corner;
all in T110N, R49W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T110N, R49W

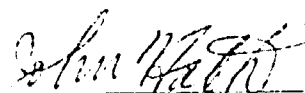
Section 23

Section 22

NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres	(BB)	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33 Acres	(AB)
NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres	(BA)	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33 Acres	(AA)
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres	(BC)	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33 Acres	(AC)
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres	(BD)	SE $\frac{1}{4}$ NE $\frac{1}{4}$	15 Acres	(AD)
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	(CB)	TOTAL	356 ACRES	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	(CA)			
SW $\frac{1}{4}$ SW $\frac{1}{4}$	11 Acres	(CC)			
SE $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	(CD)			

(4) Pursuant to §16-5-30.1 Dean Sanderson
of Box 141, Aurora, South Dakota 57002
the holder(s) and/or owner(s) of Water Permit No. 3213-3A is issued a license to appropriate water, the right to use
5.09 cubic feet per second of water from groundwater (four wells) with a priority date
of October 5, 1976 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 3213-3A and subject
to South Dakota State Law.



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

February 2, 1984



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 3213-3

3213-3A

February 15, 1984

Dean Sanderson
Box 141
Aurora, South Dakota 57002

Dear Mr. Sanderson:

Enclosed herewith is, Water License No. 3213-3A. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Applicable portions of Water Permit No. 3213-3 have been incorporated into this Water License No. 3213-3A.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 4, 2003

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

Thank you for taking the time to visit with me about Water Right No. 3213-3A. In order to update the water right and reflect current ownership, it should be transferred to your name or the corporation name.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. 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
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3213-3A

Date: 11/7/03

I/We request that Water Right No.

3213-3A

formerly owned by: Dean Sanderson

Actually transfer happened in 1991 when Dean formed family farm corporation

be transferred to: (name & address)

Sanderson Farms Inc

21194 476 ave

Aurora SD 57002

Telephone No. 605 693-3916

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

356 acres - W 1/2 Section 23 and NE 1/4 Section 22, T110N, R49W

I/We understand that the validity of Water Right No. 3213-3A 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 Sanderson Farms Inc, the new owner, certify that the above information is true and correct.

Sanderson Farms Inc c/o Dean Sanderson
(Signed by new owner) Pres.

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.

RECEIVED
NOV 10 2003
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 10, 2003

RECEIVED OF Sanderson Farms Inc., 21194 476th Ave, Aurora SD 57002

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>Water Right No, 3213-3A</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.

000912

By

Garland Erbele
Chief Engineer

Garland Erbele





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 2003

3213A-3

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

Thank you for sending in the "Notice of Transfer of Ownership" form and filing fee for Water Right No. 3213A-3. The water right is now updated to the correct name and reflects ownership as being "Sanderson Farms Inc.

Enclosed is your Receipt No. 000912 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosure

24m-109

110-49

1610

1860'
N135°E

Well #2

1860'
N135°W
285
ganga
well #3
near

376

115

wooded

Dean Sanderson
Irrigation Project #1
Aurova S.D

Oct 3, 1976

Area irrigated w² sec 23
1 NE Sec 27 - 110-49

10.5

110-49

1377

2110'
N40°E

Well #1

110-49

Center of Project

John W. Arma

North arrow 15-32113-3

NOT TO SCALE

4-82

5.1

151.0

133.7

75L

7.2

22

137.7

123.2

*John
Sanderson*

O#1

#2
110-49

9.4

9.5

*Steven Suter
County Agent
7-18-83*

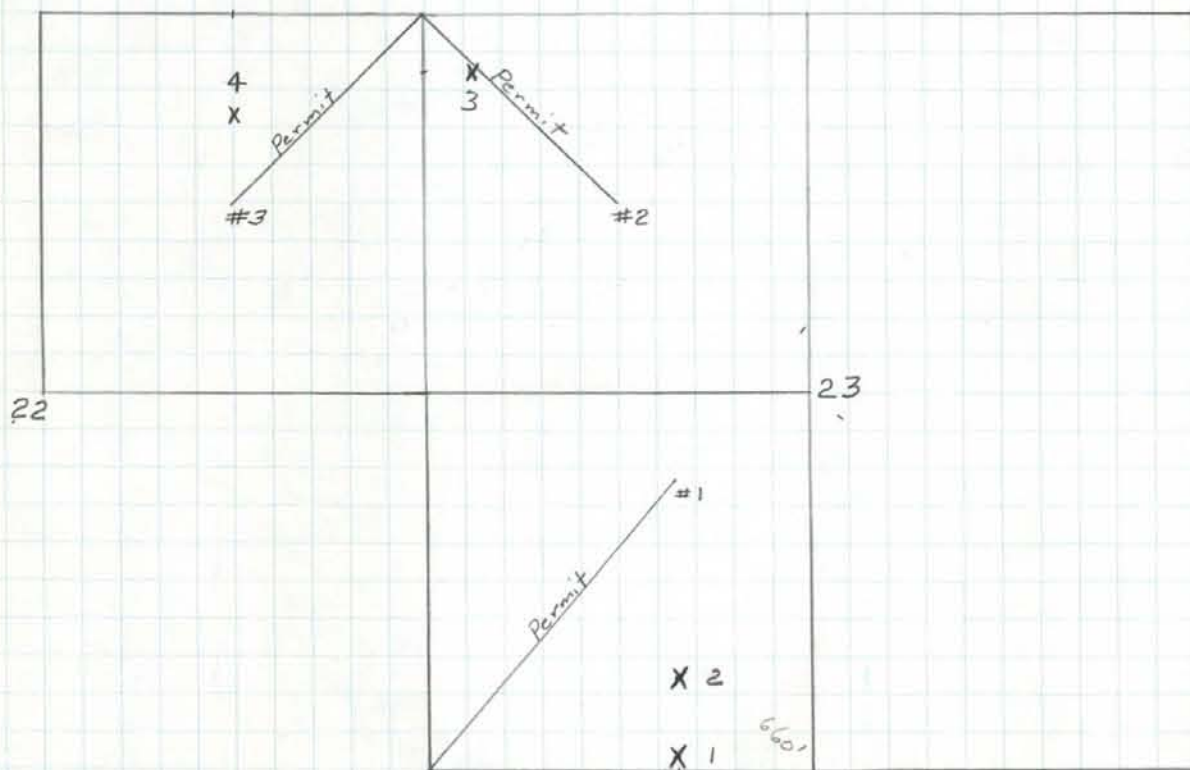
Appl # Map 3213-3A

See also 2475-3

Permit 3213-3

Water Quality for SW $\frac{1}{4}$ Sec 23-110-49 only.

Need new application for additional well and
water quality for NW 23-110-49 and NE 22-110-49



x well as constructed.

Appl & MAP 3213-3A

See ALSO MAP 2475-3



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: SANDERSON FARMS INC, ALAN SANDERSON, 21194 476TH AVE, AURORA, SD 57002

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3213-3A. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **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>

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 1, 2012

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

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

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 3213-3A. 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



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, 2013

NOTICE

TO: SANDERSON FARMS INC, ALAN SANDERSON, 21194 476TH AVE, AURORA, SD 57002

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3213-3A. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2013

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 3213-3A. 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
<http://denr.sd.gov>

No. 3213-3A

July 10, 2017

Alan Sanderson
Sanderson Farms Inc.
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

On July 3, 2017, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the NW 1/4 Section 23-T110N-R49W onto the adjacent north/south road (see attached photo). This irrigation system is covered by Water Right No. 3213-3A.

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

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes end gun overspray upon lands, including roadways, not authorized by the water right. Application of water to a roadway or unauthorized lands is a waste and unreasonable use of water pursuant to SDCL 46-1-4.

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

Thank you for your cooperation,

A handwritten signature in black ink that reads 'Eric Gronlund'.

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

Overspray Report

Date of Picture: 7/3/17 8:28 AM

County: Brookings

Water Right/Permit No.: 3213-3A

Reported by: Brookings Water Rights Program Seasonal Well Technician



Irrigation Overspray Documentation

Date: 7/3/17 Time: 8:28 AM

Take a picture with your tablet; try to show road and end of pivot.

Direction facing in picture: ☒ N ☐ E ☐ W ☐ S ☐ NW ☐ SW ☐ NE ☐ SE

Location (gps from tablet): 44.321, -96.688

Location (nearest intersection & direction and distance): 1/4 mile South of 21st - 476 Ave

Can also take a screenshot of your map by pressing (at the same time) power and volume up and then attach screenshot to e-mail with picture (make sure your blue dot shows up in the correct location)

Windy: Yes ☒ No

Notes: GPS and location description match up, based on picture location and direction pivot is located in the NW ¼ Section 23-T110N-R49W (see map below) this matches to Water Right No. 3213-3A





3213-3A
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: SANDERSON FARMS INC, ALAN SANDERSON, 21194 476TH AVE, AURORA, SD 57002
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(s) has not been submitted for Permit No(s) 3213-3A. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A qualification:

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

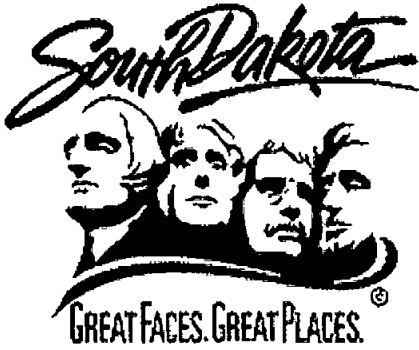
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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 6, 2018

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

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. 3213-3A. 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



3213-3A
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, 2020

NOTICE

TO: SANDERSON FARMS INC, ALAN SANDERSON, 21194 476TH AVE, AURORA, SD 57002

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3213-3A. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** 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: <https://denr.sd.gov/iq> using this password: CTOBMP**

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 30, 2020

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 3213-3A. 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, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SANDERSON FARMS INC, ALAN SANDERSON, 21194 476TH AVE, AURORA, SD 57002
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3213-3A. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 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. 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** 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: <https://denr.sd.gov/iq> using this password: GWCZLK**

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.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2021

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 3213-3A. 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 cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



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

January 20, 2022

NOTICE

TO: SANDERSON FARMS INC, ALAN SANDERSON, 21194 476TH AVE, AURORA, SD 57002

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3213-3A. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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 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://danr.sd.gov/iq> using this password: OBDLHR**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 22, 2022

3213-3A

Alan Sanderson
Sanderson Farms Inc
21194 476th Ave
Aurora SD 57002

Dear Mr. Sanderson:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 3213-3A. 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

3213-3A



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 18, 2022

3213-3A

Joseph Ness
Agness LLC
47610 Hwy 14
Aurora SD 57002

Dear Mr. Ness:

Thank you for visiting with me concerning the irrigation questionnaire for Alan Sanderson's water right.

Each year we mail out irrigation questionnaires to irrigators for reporting water use. These are annual forms and also one of the requirements for maintaining a water right.

Enclosed are copies of the 2020 and 2021 irrigation questionnaires. They should give you an idea of what type of information is needed.

The yellow form enclosed is the one for 2022 and needs to be completed and returned by December 5th. If you want to fill it out online, the web link and password are at the top of the form.

If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures



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

January 14, 2025

NOTICE

TO: AGNESS LLC, JOSEPH NESS, RENTER, 47610 HWY 14, AURORA, SD 57002

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3213-3A. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3213-3A qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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) 3213-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JKMBQR**

cc: ALAN SANDERSON, 21194 476TH AVE., AURORA SD 57002

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

3213-3A

Agness LLC
c/o Joseph Ness
47610 HWY 14
Aurora SD 57002

Dear Mr. Ness:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 3213-3A. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

cc: ALAN SANDERSON, 21194 476TH AVE., AURORA SD 57002