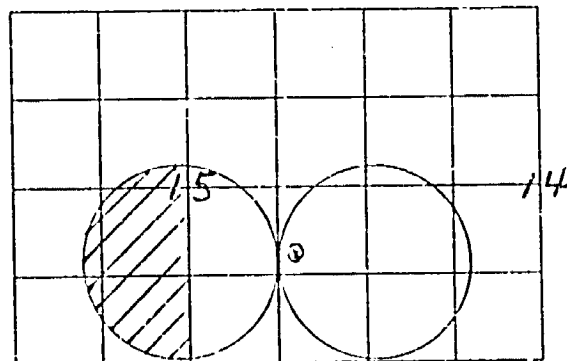


3374A-3

WATER PERMIT NO. 3374A-3Phone: 362-5885Name of Applicant: Bill SandersonPost Office Address: 703 1st Ave SW, Estherville IA 51334Amount of Water Claimed: no add'l Total Acres: no add'lSource of Water Supply: groundwaterWater to be used for: irrigation County: HanlinAbout 1 miles northwest of EstellinePRIORITY Date Received: 11-12-91 Fee: \$50 Remarks: correct thelocation of 86 acres and the location of the wellCorrected Application Received: _____ Period of Annual Use: May 1 - August 31WATER QUALITY APPROVAL RECEIVED: _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS: _____

Diversion Point: NW 1/4 SW 1/4 Sec 14-T113N-R51WLand to be Irrigated: SE 1/4 NW 1/4, SW 1/4Sec 14-T113N-R51WWell Log: Driller: Vant Hul and Sons Well Drilling Co. Licensed YES X NO _____Depth of Well: 46 feet REMARKS: _____Type of Map: aerial PREPARED BY: Norma Job Reviewed and the NumberAssigned on: 4-18-94 By: Karen Schlaak

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3374A-3

(1) Bill Sanderson of 703 1st Ave SW, Esterville IA 51334 made Application No. 3374A-3, November 12, 1991 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one well), Hamlin County, South Dakota for irrigation purposes. Permit No. 3374A-3, with a priority date of December 8, 1976 was approved June 20, 1994 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 3374A-3 specified the correct location of the irrigated acreage and corrected the location of the well that was developed but not permitted under Water Permit No. 3374-3. No. 3374A-3 did not allow for an increase in the developed diversion rate. The applicable portions of Water Permit No. 3374-3 have been incorporated into this Water License No. 3374A-3.

(2) It is certified that the applicant 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 2.0 cubic feet of water per second for beneficial use. The location of the diversion point is 3430 feet south and 200 feet east of the northwest corner of Section 14-T113N-R51W (NW 1/4 SW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 15-T113N-R51W

SE 1/4 NW 1/4	8 acres
SW 1/4 NE 1/4	7 acres
SE 1/4 NE 1/4	6 acres
NW 1/4 SW 1/4	4 acres
NE 1/4 SW 1/4	39 acres
SE 1/4 SW 1/4	34 acres
SW 1/4 SW 1/4	1 acre
NW 1/4 SE 1/4	39 acres
NE 1/4 SE 1/4	38 acres
SE 1/4 SE 1/4	30 acres
SW 1/4 SE 1/4	35 acres

Section 14-T113N-R51W

SW 1/4 NW 1/4	10 acres
NW 1/4 SW 1/4	40 acres
NE 1/4 SW 1/4	7 acres
SE 1/4 SW 1/4	5 acres
SW 1/4 SW 1/4	36 acres

Total	339 acres
--------------	------------------

(4) Pursuant to South Dakota Water Law 46-5-30.1 Bill Sanderson of 703 1st Ave SW, Esterville IA 51334 the holder and/or owner of Incorporated Water Permit No. 3374A-3 is issued a license to appropriate water, the right to use 2.0 cubic feet of water per second from groundwater with a priority date of December 8, 1976 from the location specified in (2) of this license. The water is 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 Incorporated Water Permit No. 3374A-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

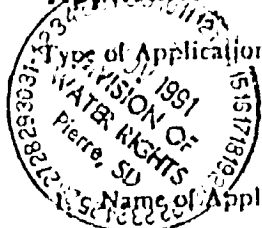
date

Mail to: Water Rights Div
525 E. Capitol
Pierre, SD 57501
(605) 773-3552

(See Instructions)

No. 3374-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper Estelline Journal, Box 159

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water



Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☒ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other See Permit No. 3374-3
Name of Applicant B. H. Sanderson Phone No. 712 565-5485

Post Office Address 703 1st Ave So Fathers Bl State Town 51334
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) no add'l Total acres irrigated no add'l
3. Source of Water supply well
4. Location of point of diversion NW 1/4 SW 1/4 Section 14-T113N-R51W

County Hamlin

5. Counties where water will be used Hamlin
6. Annual period during which water is to be used May 1 - August 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

All in Sec. 15-T113N-R51W

Land Description	No. Acres Irr.
SE 1/4 NW 1/4	8
NW 1/4 SW 1/4	4
SW 1/4 SW 1/4	1
SE 1/4 SW 1/4	34

Land Description	No. Acres Irr.
NE 1/4 SW 1/4 <u>NE 1/4 SW 1/4</u>	30

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: _____
10. Give a description of proposed project. (Attach sheet if more space is needed)

This application is to correct the location of 86 acres developed under Water Permit No. 3374-3 and to correct the location of the well developed under Water Permit No. 3374-3.

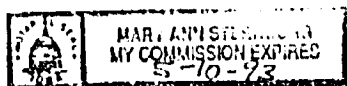
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Faith)^{ss}

I, B. H. Sanderson, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed B. H. Sanderson

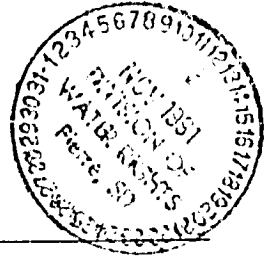
Subscribed and sworn to before me this 4 day of December 1997



Mary Anne Sternberg
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 On applicants property 2.4 m.l. On property owned by others 3.4 m.l.

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

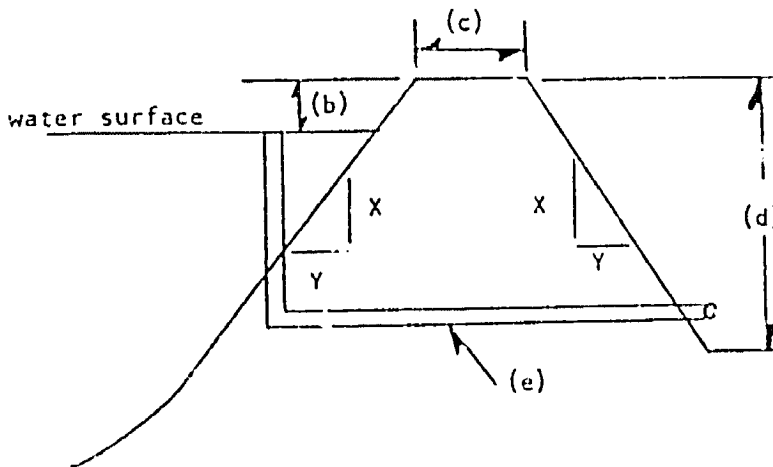
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Bill Anderson
 Signature of Applicant

REPORT ON APPLICATION NO. 3374A-3
for Bill Sanderson
and
REPORT ON APPLICATION NO. 5817-3
for Florence M Sanderson
May 18, 1994

Water Permit No. 3374A-3 is to specify the correct location of the irrigated acreage and to correct the location of the well. Water Permit No. 3374-3 appropriates 5 cfs from two wells located in the SE 1/4 NE 1/4 of section 15 and near the center of the SW 1/4 of section 14; to irrigate 400 acres located in the E 1/2 of section 15 and the W 1/2 of section 14; all in T113N R51W in Hamlin County. An inspection of Permit No. 3374-3 found one well constructed and supplying 2.0 cfs to irrigate 339 acres. This application is to correct the location of 86 acres of the 339 acres being irrigated. The correct location of the 86 acres is the SW 1/4, SE 1/4 NW 1/4 of section 15, T113N R51W. This application also corrects the location of the well which is the NW 1/4 SW 1/4 of section 14, T113N R51W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Water Permit Application No. 5817-3 is to irrigate 25 additional acres. Water Permit No. 4522-3 appropriates 3.64 cfs from four wells to irrigate 255 acres located in the N 1/2 of section 22, T114N R51W in Hamlin County. An inspection of this permit found 2 wells capable of diverting 1.77 cfs irrigating 280 acres. This application is to irrigate 25 additional acres located in the NW 1/4 NW 1/4, N 1/2 NE 1/4 of section 22, T114N R51W. No increase in the developed diversion rate from the two wells is authorized by this application.

AQUIFER -- BIG SIOUX BROOKINGS (BS:B)

The Big Sioux Brookings is an alluvium mantled glacial outwash (sand and gravel) under predominantly unconfined or water table conditions (Kume, 1985). The aquifer underlies 88,500 acres and contains an estimated 331,880 acre feet of recoverable water in storage in Hamlin County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux River and extends into Codington County to the north and into Brookings County to the south. Ground water movement is from east to west and north to south in this area with ground water discharging into the Big Sioux River.

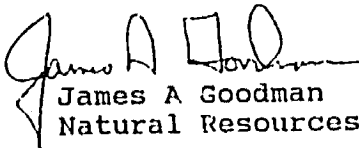
The Division of Water Rights monitors 21 observation wells completed into the Big Sioux Brookings aquifer in Hamlin County. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. In general, the water level records indicate that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

These two applications are for already existing systems. There are existing water permits/rights within 1/2 mile of each application. Interference is not expected to be a concern. The wells for these applications have been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is unconfined and under water table conditions. Drawdown is not expected to be significant and should not adversely affect any existing right.
3. The wells authorized by these applications already exist. The information available is not sufficient to determine if these wells have been constructed in accordance with SD Well Construction Standards.
4. Approval of these applications will allow licensing of each of the permits to reflect "as built" status.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources of Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, USGS WRI 84-4069, USGS, Huron, SD, 57350.
- Water Rights, 1994, Unpublished Observation Well Data for Hamlin County, SD DENR, Division of Water Rights, Pierre, SD, 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 3374A-3, Bill Sanderson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 3374A-3, Bill Sanderson, 703 1st Avenue SW, Estherville, IA 51334.

The Chief Engineer is recommending APPROVAL of Application No. 3374A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
May 23, 1994



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

May 25, 1994

Bill Sanderson and Florence M. Sanderson
703 1st Avenue SW
Estherville, IA 51334

Dear Mr. Sanderson & Mrs. Sanderson:

Water Permit Application Nos. 3374A-3 and 5817-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Estelline Journal printed at Estelline, SD (Ph # 873-2475). For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

These applications were submitted on November 12, 1991. The applications were on hold pending issuance of the Soil-Water Compatibility Permit through the Department of Agriculture. The Soil-Water Compatibility statutes have since been repealed by the 1994 Legislature and the water permits are now being processed.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the applications.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 25, 1994

Estelline Journal
Box 159
Estelline, SD 57234-0159

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 3374A-3 and 5817-3 to be published twice. Please publish the first notice on June 2, 1994, with the second publication 7 days later.

The APPLICANTS MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANTS for the cost of publication. The APPLICANTS are Bill Sanderson and Florence M. Sanderson, 703 1st Avenue SW, Estherville, IA 51334 (Ph # 712-362-5885).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicants costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

newspaper _____

Instruction to Newspaper - Publish First Notice on June 2, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 3374A-3 and 5817-3 to Appropriate Water

Notice is given that Bill Sanderson and Florence M. Sanderson, 703 1st Avenue SW, Estherville, IA 51334 have filed applications for water permits.

Water Permit Application No. 3374A-3 is to specify the correct location of the irrigated acreage and to correct the location of the well. Water Permit No. 3374-3 appropriates 5.0 cubic feet of water per second (cfs) from two wells located in the SE 1/4 NE 1/4 Section 15 and near the center of the SW 1/4 Section 14; to irrigate 400 acres located in the E 1/2 Section 15 and the W 1/2 Section 14; all in T113N-R51W. An inspection of Permit No. 3374-3 found 1 well constructed and supplying 2.0 cfs to irrigate 339 acres. This application is to correct the location of 86 acres of the 339 acres being irrigated. The correct location of the 86 acres is the SW 1/4, SE 1/4 NW 1/4 Section 15-T113N-R51W. This application also corrects the location of the well which is located in the NW 1/4 SW 1/4 Section 14-T113N-R51W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3374A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Water Permit Application No. 5817-3 is to irrigate 25 additional acres. Water Permit No. 4522-3 appropriates 3.64 cfs from four wells to irrigate 255 acres located in the N 1/2 Section 22-T114N-R51W. An inspection of this permit found 2 wells capable of diverting 1.77 cfs irrigating 280 acres. This application is to irrigate 25 additional acres located in the NW 1/4 NW 1/4, N 1/2 NE 1/4 Section 22-T114N-R51W. No increase in the developed diversion rate from the two wells is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5817-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

In accordance with SDCL 46-2A-23, the chief engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to these applications. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA,

SS.

County of Hamlin

Mark R. Hausman and Carla Clarke, of said county, being first duly sworn, on oath say that they are the publishers or managers of The Estelline Journal, a weekly newspaper printed and published in Estelline, said County of Hamlin, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-one successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Notice of application

_____ , a printed copy of which taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least one week for _____ successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

_____ June 2, 1994; _____, 19____
_____ June 9, 1994; _____, 19____
_____, 19____; _____, 19____
_____, 19____; _____, 19____
_____, 19____; _____, 19____

that the full amount of the fees for the publication annexed notice is \$ 36.41

Subscribed and sworn to before me this

day of _____

Carla Clarke

Notary Public

CONN

My C

NOTICE OF APPLICATION Nos. 3374A-3 and 5817-3 to Appropriate Water

Notice is hereby given that Bill Sanderson and Florence M. Sanderson 703 1st Avenue SW, Estherville, IA 51334 have filed applications for water permits.

Water Permit Application No. 3374A-3 is to specify the correct location of the irrigated acreage and to correct the location of the well. Water Permit No. 3374-3 appropriates 5.0 cubic feet of water per second (cfs) from two wells located in the SE 1/4 NE 1/4 Section 15 and near the center of the SW 1/4 Section 14; to irrigate 400 acres located in the E 1/2 Section 15 and the W 1/2 Section 14; all in T113N-R51W. An inspection of Permit No. 3374-3 found 1 well constructed and supplying 2.0 cfs to irri-

gate 339 acres. This application is to correct the location of 86 acres of the 339 acres being irrigated. The correct location of the 86 acres is the SW 1/4, SE 1/4 NW 1/4 Section 15-T113N-R51W. This application also corrects the location of the well which is located in the NW 1/4 SW 1/4 Section 14-T113N-R51W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5817-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

In accordance with SDCL 46-2A-23, the chief engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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RUSSELL L. STONE
Acting Secretary
Department of Environment
and Natural Resources

comma missing →

Permit No. 3374-3 and 3374A-3
Big Sioux River - Water District

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

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

I have this day made a thorough examination of the water use system constructed by Bill Sanderson of 703 1st Ave SW, Estherville IA 51334 holder of Permit Nos. 3374-3 and 3374A-3, bearing the priority of December 8, 1976 authorizing the diversion of 5.0 cu. ft. per second from groundwater (one well) for irrigation purposes, in Hamlin County.

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

A. Works used to divert the water:

Western Land Roller Pump - 900 gpm

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

300 feet of 8 inch PVC

C. Works used to apply water to beneficial use:

Olson 103PL center pivot with 9 towers and an end gun - 900 gpm

The system is in the following condition good. The point of diversion is located 3430 feet south and 200 feet east of the northwest corner of Section 14-T113N-R51W. The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 15-T113N-R51W

SE 1/4 NW 1/4	8 acres
SW 1/4 NE 1/4	7 acres
SE 1/4 NE 1/4	6 acres
NW 1/4 SW 1/4	4 acres
NE 1/4 SW 1/4	39 acres
SE 1/4 SW 1/4	34 acres
SW 1/4 SW 1/4	1 acre
NW 1/4 SE 1/4	39 acres
NE 1/4 SE 1/4	38 acres
SE 1/4 SE 1/4	30 acres
SW 1/4 SE 1/4	35 acres

Section 14-T113N-R51W

SW 1/4 NW 1/4	10 acres
NW 1/4 SW 1/4	40 acres
NE 1/4 SW 1/4	7 acres
SE 1/4 SW 1/4	5 acres
SW 1/4 SW 1/4	36 acres

comprising a total of 339 acres of land and the license should be issued for 2.0 cfs. Applicable permit qualifications have been complied with.

Inspected by Norma Job, Staff Engineer on September 17, 1991. Inspection report reviewed by


Delvin D. Brosz

Natural Resources Engineer IV
DENR, Water Rights Division

File No. 3374A-3

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Bill Sanderson

ADDRESS: 703 1st Ave SW, Estherville SD COUNTY: Hamlin

DATE: 4-15-94 TELEPHONE:

RE: S/W Compatibility Permit

COMMENTS:

We are proceeding with this application based on the repeal of the Soil/Water Compatibility Permit statutes by the 1994 Legislature.

Karen Schlaak

Karen Schlaak
Environmental Scientist



OCT 4 1994

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Bill Sanderson
703 First Avenue SW
Estherville, IA 51334

Dear Mr. Sanderson:

Enclosed is Water Permit No. 3374A-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 Water License will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

**SOUTH DAKOTA
WATER PERMIT NO. 3374A-3**

Date of first receipt of application November 12, 1991.

Permit processed when Soil/Water Compatibility permit statutes were repealed.

The Chief Engineer on behalf of the Water Management Board, issues Water Permit No. 3374A-3 to Bill Sanderson, 703 1st Ave SW, Estherville IA 51334 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 3374A-3 specifies the correct location of the irrigated acreage and corrects the location of the well. Water Permit No. 3374-3 appropriates 5.0 cubic feet of water per second (cfs) from two wells located in the SE 1/4 NE 1/4 Section 15 and near the center of the SW 1/4 Section 14; to irrigate 400 acres located in the E 1/2 Section 15 and W 1/2 Section 14; all in T113N-R51W. An inspection of Permit No. 3374-3 found 1 well constructed and supplying 2.0 cfs to irrigate 339 acres. This permit corrects the location of 86 acres of the 339 acres being irrigated. The correct location of the 86 acres is the SW 1/4, SE 1/4 NW 1/4 Section 15-T113N-R51W. This permit also corrects the location of the well which is located in the NW 1/4 SW 1/4 Section 14-T113N-R51W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - August 31.
3. The date from which applicant may claim right is December 8, 1976.
4. The date of approval of Permit No. 3374A-3 is June 20, 1994.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

OCT 4 1994

date

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ November 12, 1921

RECEIVED OF Puttman Farms, & Wm. J. Sanderson, 703 1st Ave. S., Estherville, IA 51301
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>22744-3</u> to Appropriate Water, to construct works 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 _____		
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 H. H. H. H.
Chief Engineer



NOV 14 1994

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

3374A-3

Bill Sanderson
703 1st Ave. SW
Esterville, IA 51334

Dear Mr. Sanderson:

Enclosed is Water License No. 3374A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414307 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3374A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-2352

rd
enclosures

NOTE: The applicable portions of Water Permit No. 3374-3 have been incorporated into this Water License No. 3374A-3.

RECEIPT

414307

Division of Water Rights

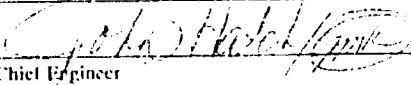
South Dakota Department of Environment and Natural Resources

Pierre, _____, October 19_____, 19 91

RECEIVED OF Putnam Farms (Bill Sanderson), 705 1st Ave S., Estherville, IA 51554
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 _____		
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. <u>5574A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By 
Chief Engineer

LOG

Vant Hul and Sons Well Drilling Co.

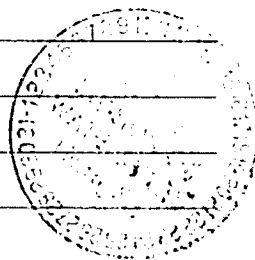
Rock Valley, Iowa
Phone (712) 476-5647

3374A-3

Drilled for Alvin Blum and Date May 24, 1958
 Tenant Bill Sanderson
 Address Estherville, Iowa
 Location Field - near Estherville, Ia. Rd.
 Drilled by Vant Hul and Sons, Inc.
 Cased with Steel casing (16") Total Depth 46 ft.
 Finished in _____ WLFS _____ ft.
 Capacity tested to _____ Gals. per _____
 Screen used 20' Slot size _____ Length 30' Diameter 16"
 Other information: Steel in steel
Well was gravel packed and
cemented

FORMATIONS PASSED THROUGH

No. of ft.	Kind of Formation
<u>0' - 4'</u>	<u>Top soil</u>
<u>4' - 20'</u>	<u>Sandy gravel</u>
<u>20' - 45'</u>	<u>Gravel</u>
<u>45' - 46'</u>	<u>Blue clay</u>



Signed James Vant Hul
 Driller



3374A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: ALLEN FUGERE, OP, RR 1 BOX 156A, ESTELLINE, SD 57234

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1812-3, 3374A-3 & 5817-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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) 1812-3, 3374A-3 & 5817-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 1812-3, 3374A-3 & 5817-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

cc: Bill or Florence Sanderson, 703 1st Ave SW, Estherville, IA 51334

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consent postmaster for fee.

3. Article Addressed to: **3374A-3**
ALLEN FUGERE, OP
RR 1 BOX 156A
ESTELLINE SD 57234

4a. Article Number
119 141 221

- 4b. Service Type
- ☐ Registered
 - ☒ Certified
 - ☐ Express Mail
 - ☐ Insured
 - ☐ Return Receipt for Merchandise
 - ☐ COD

7. Date of Delivery
1-10-98

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)
X *[Signature]*

Thank you for using Return Receipt Service.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

1812-3

3374A-3

5817-3

Allen Fugere
RR 1 Box 156A
Estelline, SD 57234

Dear Mr. Fugere:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1812-3, 3374A-3 and 5817-3.

I completed questionnaires for you based on our January 13th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

c: Bill or Florence Sanderson, 703 1st Ave SW, Estherville, IA 51334



3374A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 14, 1998

1812-3

3374A-3

5817-3

Allen Fugere
RR 1 Box 156A
Estelline, SD 57234

Dear Mr. Fugere:

This will acknowledge receipt of the 1998 irrigation questionnaires for Water Right Nos. 1812-3, 3374A-3 and 5817-3. In reviewing the forms, I noticed that on two of the three questionnaires you indicated the land is in CRP through 2008.

Below is a table showing the legal descriptions of the water rights. I wanted to make sure the questionnaires you marked "in CRP" corresponded to the same water right.

Water Right No.	No. of Acres	Source of Water	Description of Acres Irrigated
1812-3	70 acres	Big Sioux River/Hidewood Creek	NW ¼ Section 15, T113N, R51W
*3374A-3	339 acres	ground water (one well)	SW ¼, SW ¼ NW ¼ Section 14 S ½, S ½ NE ¼, SE ¼ NW ¼ Section 15, all in T113N, R51W
*5817-3	280 acres	ground water (two wells)	N ½ Section 22, T114N, R51W

* I will make a notation in Nos. 3374A-3 and 5817-3 that the land is in CRP. You will not receive irrigation questionnaires for these water rights until the year 2009.

If, after reviewing the above information you feel changes need to be made, please give me a call. If I do not hear from you, I will assume I have marked the files correctly.

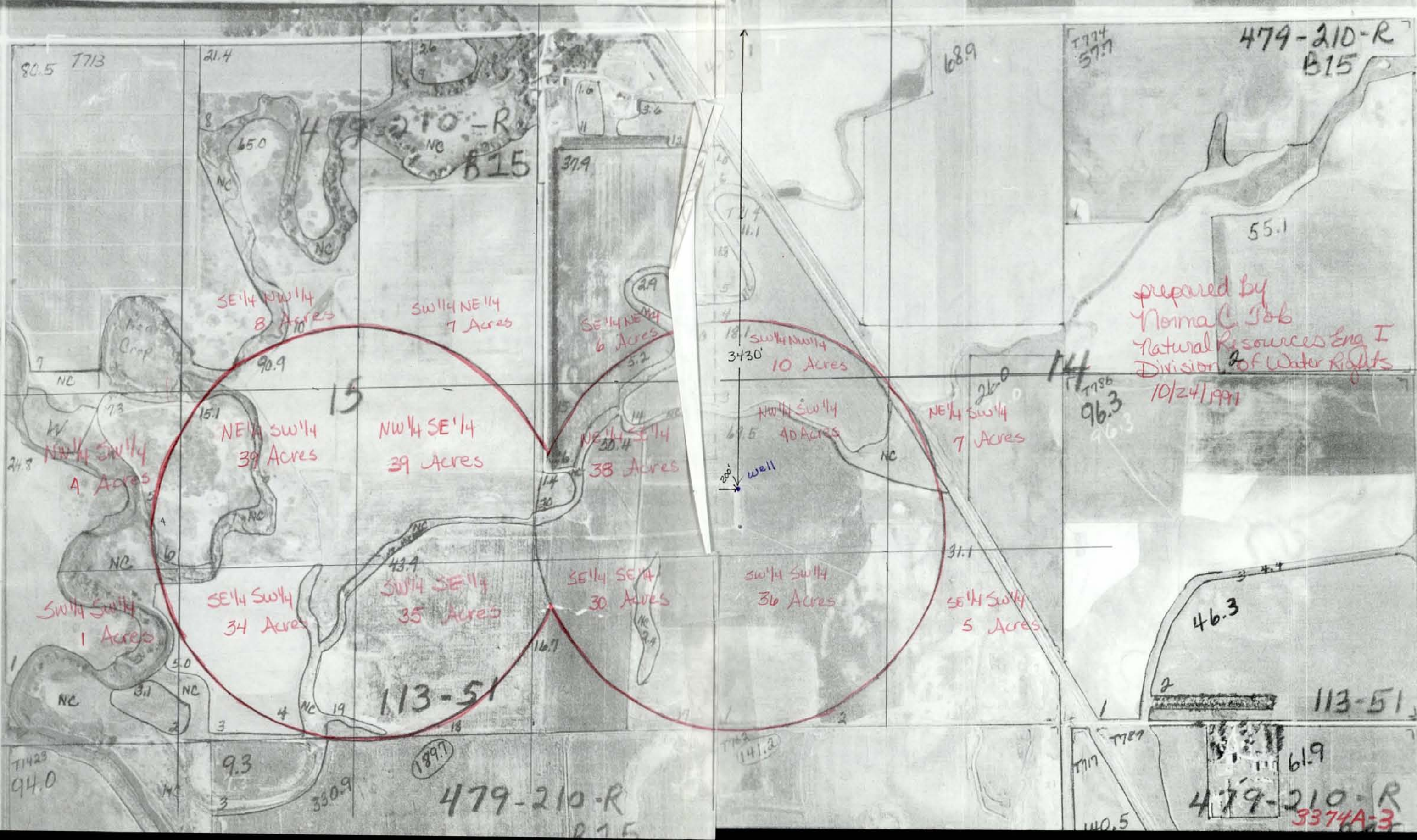
Thank you and if you have any questions, please get in touch with me.

Sincerely,

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

NOT TO SCALE

NOT TO SCALE



File No. 1812-3
3374A-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Bill Sanderson, Estherville IA 51334

DATE: June 5, 2019

TELEPHONE: 712 380-5885

RE: status of CRP for land covered under Water Right Nos. 1812-3 and 3374A-3

The land covered under these water rights is managed by Allen Fugere, Estelline SD and has been in CRP for at least two terms. The last one ended in 2018. I called and spoke with Allen Fugere who directed me to talk to Bill Sanderson.

I called and spoke with Bill about whether or not the land had been re-enrolled for another term. He said they just found out that they could re-enroll but had not yet made a decision on it.

Since they have not yet decided what to do, I told him I would move the two water rights back into mailing status and would be sending out irrigation questionnaires to Allen Fugere in October. A determination would have been made by October and he could make a notation on the forms about whether or not they are in CRP and the length of enrollment.



Genny McMath
Water Rights Program

File No. 1812-3
3374A-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Allen Fugere, 700 N Main, Estelline SD 57234

DATE: November 23, 2020

TELEPHONE: 605 881-4221

RE: CRP

COMMENTS:

Mr. Fugere submitted his irrigation questionnaires November 23rd. He marked CRP on the forms for Water Right Nos. 1812-3 and 3374A-3 (Bill Sanderson).

I called him to find out when the land comes out of CRP so we could hold up mailing irrigation questionnaires. He said the land was re-enrolled in CRP in 2018. The term is for 10 years.

Hold up mailing irrigation questionnaires until 2028 for both water rights. He confirmed Mr. Sanderson still owns the land.



Genny McMath
Water Rights Program