

Water Right Number 3514-3

1. Considered 2-23, 19 77
2. Name of Applicant LARRY RUPIPER
3. Post Office Address UTICA
4. Amount of Water claimed 1.57
5. Source of Water supply 60' WELL
6. Water to be used for IRR.

Acres to be irrigated 110

7. Water to be diverted and used in YANKTON County
about 11 N, 4 W miles of YANKTON

8. Proof of Publication

Received ~~1-25~~ 2-23-77

Not Received _____

9. Application

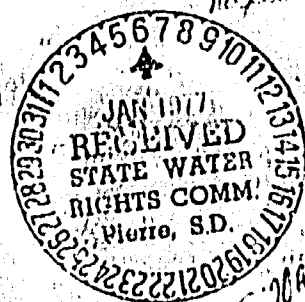
Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

No. 3574-3Map No. 2794-3 Water Division No. 3 JAMES RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Larry I. Ruppner
 Postoffice address RR 1 Utica, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor and emp. others
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 750 gal per min.
5. Source of water supply well
6. Location of proposed diversion NE¹ SE¹ SECTION 21, T95N, R32W

County YANKTON

7. Annual period or periods during which water is to be used May through october
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 110
 List below each forty-acre subdivision, lot, (S. 1/4) thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SE 1/2 of SE 1/4 of sec 21	
E 1/4 of E 1/2 of W 1/2 of sec. 21/95/56	
sec. 21/95/56	
SE 1/2 of SE 1/4 of the NE 1/4 of sec. 21/95/56	15

All of the more space is needed.

10. Time required to complete construction of water system is developed years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Yankton Daily Press & Dakotan
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. pipe lineC. Works proposed to apply water to beneficial use. center pivotEstimated Total Cost \$ 40,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Yankton

I, Larry I. Ruppner, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Subscribed and sworn to before me this 10 day of January 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3514-3
LARRY RUPIPER P.R. #1, UTICA
 (Applicant) (Post Office Address)

SOUTH DAKOTA 57067 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JANUARY 6, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application JANUARY 10, 19 77
 Approved FEBRUARY 24, 19 77, Recorded in Book 17 Page 221

WATER RIGHT PERMIT NO. 3514-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3514-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 6, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 24, 19 77
3. The whole of said work is to be completed on or before FEBRUARY 24, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 24, 19 79
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 1.57 cubic feet per second; neither shall it exceed the capacity of the above described water supply system; or shall it exceed the amount of water needed for beneficial uses served; and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before FEBRUARY 24, 19 79 said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 14TH day of APRIL, 19 77

WATER RESOURCES COMMISSION

By:

John H. Smith
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36 inch, Depth 60 feet
- (2) Casing, Type P.V.C. Diameter 16 in. Thickness 1/3 in.
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type Johnson, steel, Diameter 16 in., Length 10 ft.
- (4) Gravel Pack, Thickness 3/8 in., Length of gravel pack 55 ft.

E. Dugout Information or Estimates: ☒

- (1) Surface dimensions _____, Depth _____

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

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials good 3/8 in. gravel, with other
finer gravel, and a suggestion of sand

Depth to top of water bearing material 42 feet

Depth to bottom of water bearing material 60 feet

Thickness of water bearing material 3/8 in.

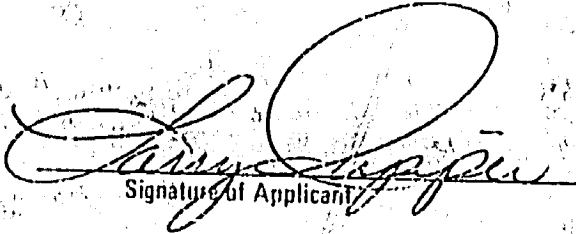
Depth to water (ground surface to water level) 12 feet

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

On same owner's property 80 rds. On property owned by others 160 rds.

G. ~~Water Storage Dams~~

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

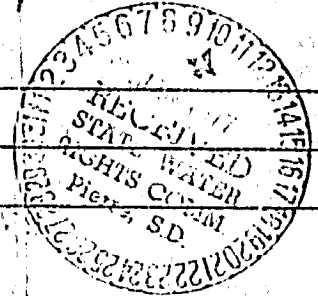

Signature of Applicant

CONSERVATION
COMMISSION
FORM WI #1

*Sent back
for notary - no map
no fee - 1-6-77*

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 Larry Rudner
ADDRESS R. R. 1 Utica, South Dakota
COUNTY Yankton



LEGAL DESCRIPTION

1. WELL LOCATION 3100 feet south and 50 ft. west of the NE corner of sec. 21-T95-R56 Yankton County
2. LOCATION OF AREA TO BE IRRIGATED The SE 1/2 of the SE1/4 of Sec. 21-T95-R56 and the South 1/2 of the SE1/4 of the NE 1/4 of Sec. 21

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-1953
6. SALINITY (EC x 10⁶) 2831 (very high)
7. SODIUM (SAR) 0.53 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Yankton 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.

[Signature]
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF _____ 19 ____.

Albert J. [Signature]
[Signature]

(TITLE OR SEAL)

APPROVED/REAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Larry Rupiper
 Address: Rt. 1
Utica, SD 57067

Date Rec'd. December 6, 1976
 Sample No. 76-1983
 Identification Well-
NE 1/4, Sec. 21, T. 95N, R. 56W

WATER ANALYSIS

Calcium (Ca)	241	ppm*	12.05	mg/l**
Magnesium (Mg)	248	ppm	20.34	mg/l
Sodium (Na)	49	ppm	2.13	mg/l
Potassium (K)	11	ppm	0.29	mg/l
Sulfate (SO ₄)	367	ppm	7.63	mg/l
Nitrate (as N)		ppm		mg/l
Chloride (Cl)	138	ppm	3.86	mg/l
Bicarbonate (HCO ₃)	727	ppm	11.92	mg/l
Carbonate (CO ₃)		ppm		mg/l
Iron (Fe)		ppm		mg/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	526	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	2831	micromhos per cm at 25° C.		
Electrical Conductivity	0.53			
Sodium Adsorption Ratio	6.11	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.15			
pH				
Others:				

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

COMMENTS: Total cations 24.81 me/l
 Total anions 23.41 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$8.00
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	
Sample No. <u>76-1983</u>	Amount Enclosed \$
	Signed



December 29, 1976

Mr. Larry Rupiper
R.R. #1
Utica, SD 57067

Dear Mr. Rupiper:

Your water sample (Lab. No. 76-1983) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

- (1) It will be used no more than 3 times (preferably less) in any growing season.
- (2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.
- (3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.
- (4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

Form 6 - Notice of Intent to Appropriate Water

No. 3514-3

Publish first publication, on or before February 10, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 1, 19 77

Notice is hereby given that Larry Rupiper

whose post office address is Utica, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

1.57 cubic feet of water per second of time from the ground water through the

L. Rupiper # 1, the point of diversion of which is to be located in the

NE 1/4

of Section 21, Twp. 95N, Range 56W. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4, SE 1/4 NE 1/4, Section 21-T95N-R56W

This application No. 3514-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23 day of February, 19 77, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Larry Rupiper, R.R. # 1, Utica, South Dakota 57067

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3514-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Yankton)

I, Harry L. Speece hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Daily Press & Dakotan

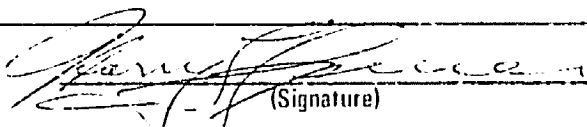
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City _____ of Yankton

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

February 14, 1977

February 21, 1977


(Signature)

Business Manager

(Title)

2-21-77

(Date Signed)

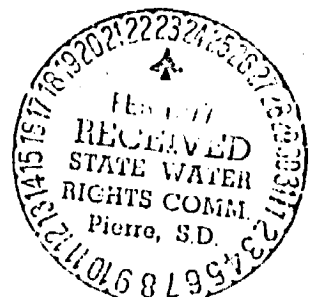
2-14421
NOTICE INTENT TO
APPROPRIATE WATER
FEBRUARY 1, 1977

Notice is hereby given that Larry
Rupiper whose post office address is
Utica, South Dakota, has made an ap-
plication in accordance with the pro-
visions of the water laws of South Dakota
for a permit to appropriate for beneficial
use 1.37 cubic feet of water per second of
time from ground water through the L.
Rupiper #1, the point of diversion of
which is to be located in the NE 1/4 SE 1/4 of
Section 21, Twp. 96N, Range 56W. Said
water to be used for the purpose of pro-
viding irrigation on portions of the
following described land:

SE 1/4, SE 1/4, NE 1/4, Section 21-T96N,
R56W.

This application No. 3514-3 will be con-
sidered by the Water Rights Commission
at their office at Pierre upon the 23rd day
of February, 1977, at 10:00 A.M. All in-
terested persons may appear and be
heard.

Water Rights Commission
By: BURTON F. JONES
Water Rights Specialist



Form 10.

No. 3514-3

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Apply Permit

Post Office API Office SD 57067

Date Feb. 1, 1978

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

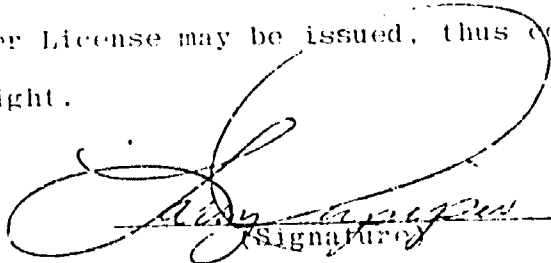
Lear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3514-3.

Water Right Permit No. 3514-3 states that the diversion system is to be constructed by Feb. 24, 1978 and that the water is to be put to beneficial use by Feb. 24, 1978.

The diversion system was completed on Aug. 22, 1976.
Applying the water to beneficial use was completed on May 15, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.


(Signature)





Department of Water & Natural Resources

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

March 23, 1987

LARRY RUPPER
RR #1 BOX 252
YANKTON, SD 57078

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3514-3, 4179-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 3514-3, 4179-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: LARRY RUPIFER
RR #1 BOX 252
YANKTON, SD 57078

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Amendment to Water Permit No(s). 4179-3, 3514-3

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 4179-3 3514-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in **SUSPENSION** of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Attachment to Water Permit No. 3514-3

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 3514-3 to add the following qualification:

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

● **SENDER:** Complete Items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: LARRY RUPPER RR #1 BOX 252 YANKTON, SD 57078	4. Article Number P 576 309 738 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X 6. Signature — Agent X <i>Larry Rupper</i> 7. Date of Delivery <i>5-17-87</i>	8. Addressee's Address (ONLY if requested and fee paid)

#3514-3
#4179-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Larry Rupiper
RR 1, Box 252
Yankton, SD 57078

Dear Mr. Rupiper:

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

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

The new standards include:

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



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

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

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

Very truly yours,

John W. Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



February 7, 1995

LARRY RUPPER
RR #1 BOX 252
YANKTON SD 57078

3514-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

RE: Violation of Water Permit No(s) 3514-3 & 4179-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 3514-3 & 4179-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3514-3 & 4179-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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 SDCL 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) 3514-3 & 4179-3 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 March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

3574-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 7, 1995

NOTICE

TO: LARRY RUPIPER
RR1 BOX 252
YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 3514-3; & 4179-3

The first notice to file chemigation report(s) for Permit No(s) 3514-3; & 4179-3 was dated November 3, 1994. Our records indicate that we have not received the 1994 chemigation report for Permits No(s) 3514-3; & 4179-3. The Water Management Board has directed that owners of water permits who have not submitted the 1994 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 8, 1995, in the Crown Room, 3RD Floor, Kings Inn Best Western Convention Center, 226 South Pierre Street, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 3514-3; & 4179-3 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. Prior to March 3, 1995, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 3, 1995, you will no longer be in violation and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b
- 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

Consult postmaster for fee.

3. Article Addressed to:

3514-3

Larry Rupiner
RR 1, Box 252
Yankton, SD 57973

4a. Article Number

P-157566431

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-10-75

5. Signature (Addressee)

Larry Rupiner

6. Signature (Agent)

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

PS Form 3811, December 1991

U.S. GPO: 1993-352-711

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

3514-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 1995

3514-3 ✓
4179-3

Larry Rupiper
RR #1 Box 252
Yankton, SD 57078

Dear Mr. Rupiper:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires and chemical reporting forms. The forms were completed for you following our February 9, 1995 telephone conversation. You may disregard the February 7, 1995, **Notice of Violation of Water Permits and the Notice of Failure to Report Chemical Use under Water Permit Nos. 3514-3 and 4179-3.**

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

If you have any questions, please contact me.

Sincerely,

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

Germy McMath
Environmental Scientist
Water Rights Division
(605) 773-3352



3514-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 30, 1996

NOTICE

TO: LARRY RUPPER
RR #1 BOX 252
YANKTON SD 57078

FROM: Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Program

RE: Failure to Report Chemical Use under Water Permit No(s) 3514-3; & 4179-3

The first notice to file chemigation report(s) for Permit No(s) 3514-3; & 4179-3 was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 3514-3; & 4179-3. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 3514-3; & 4179-3 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 chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.

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

Consult postmaster for fee.

3. Article Addressed to:

LARRY RUPIPER
RR #1 BOX 252
YANKTON SD 57078

4a. Article Number

2 161 984 083

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-31-96

5. Received By: (Print Name)

Jane Rupiper

6. Signature: (Addressee or Agent)

X Jane Rupiper

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



January 30, 1996

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: LARRY RUIPER, RR #1 BOX 252, YANKTON, SD 57078
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 3514-3, 4179-3.

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 3514-3, 4179-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3514-3, 4179-3 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, March 6, 1996 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) 3514-3, 4179-3 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 March 1, 1996, 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.

3514-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 1996

3514-3
4179-3

Larry Rupiper
American Leasing
327 Broadway
Yankton, SD 57078

Dear Mr. Rupiper::

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and information for your chemical use reports. You may disregard the January 30, 1996, Notice of Violation of Permit Nos. 3514-3 and 4179-3 and the Notice of Failure to Report Chemical Use.

I completed questionnaires for you based on our February 1st 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.

Enclosed, as we discussed, are copies of your 1994 and 1995 irrigation questionnaires. Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3514-3

(1) Larry Rupiper, RR 1 Box 252, Yankton, SD 57078 made Application No. 3514-3, January 6, 1977 for a water permit to divert 1.57 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 3514-3, with a priority date of January 6, 1977 was approved February 24, 1977 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 24, 1978 and for the application to beneficial use of said water on or before February 24, 1979.

(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 1.39 cubic feet of water per second for beneficial use. The location of the diversion point is 2200'N 1.5°W of the SE corner of Section 21, T95N, R56W (NE¼ SE¼).

(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 21, T95N, R56W	SE¼ NE¼	11 acres
	NE¼ SE¼	40 acres
	NW¼ SE¼	7 acres
	SW¼ SE¼	4 acres
	SE¼ SE¼	35 acres
	TOTAL	97 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Larry Rupiper, RR 1 Box 252, Yankton, SD 57078 the holder and/or owner of Water Permit No. 3514-3 is issued a license to appropriate water, the right to use 1.39 cubic feet of water per second from ground water (one well) with a priority date of January 6, 1977 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. 3514-3 and subject to South Dakota State Law.

John Hatch
 JOHN HATCH, Chief Engineer
 Water Rights Program
 Department of Environment and Natural Resources

OCT 17 1996

date



Permit No. 3514-3
James River - Water District

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

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

I have this day, July 31, 1995, made a thorough examination of the water use system constructed by Larry Ruper of RR 1, Utica, SD holder of Permit No. 3514-3, bearing the priority of January 6, 1977 authorizing the diversion of 1.57 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from a 18" diameter well 110 feet deep located 2200'N1.5°W from the SE corner of Sec.21, T95N-R56W, (SE¼NE¼NE¼SE¼ Sec. 21, T95N-R56W). The well uses a 4 stage 10" diameter Wellline Pump (MN 81227K); powered by a US Electric 40 HP electric motor.

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

Water is transported through 630' of 8" diameter PVC pipe from the well to a center pivot irrigation system.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through a Zimmatic Center Pivot (MN 307, SN 18904). The system is 1320' long and has a Nelson 150 end gun.

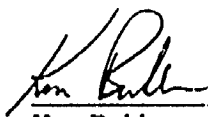
The system is in the following condition good. The point of diversion is located 2200'N1.5°W from the SE corner of Sec.21, T95N-R56W, (SE¼ NE¼ NE¼ SE¼ Sec. 21, T95N-R56W) The works are capable of diverting and conveying to the place of use 1.45 cu. ft. per second of water which used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>SE¼ NE¼ Sec.21, T95N-R56W</u>	<u>11 acres</u>
<u>NE¼ SE¼ Sec.21, T95N-R56W</u>	<u>40 acres</u>
<u>NW¼ SE¼ Sec.21, T95N-R56W</u>	<u>7 acres</u>
<u>SW¼ SE¼ Sec.21, T95N-R56W</u>	<u>4 acres</u>
<u>SE¼ SE¼ Sec.21, T95N-R56W</u>	<u>35 acres</u>

comprising a total of 97 acres of land and the license should be issued for 1.39 cfs.

Applicable permit qualifications have been complied with: YES

Exceptions to compliance are: #



Ken Buhler
 Natural Resources Engineer
 DENR, Water Rights Program

3/21/96

Date

REPORT ON INSPECTION OF PERMIT NO. 3514-3

DATE OF INSPECTION: July 31, 1995

Other permit(s) associated with the project: 4179-3

DIVERSION POINT LEGAL LOCATION: 2200'N1.5°W from the SE corner of Sec.21, T95N-R56W,
(SE¼NE¼ NE¼ SE¼ Sec. 21, T95N-R56W)

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells one
- 3) Depth(s) 110 feet
- 4) Well log is available no (checked with Mike Wetmore for log 12/28/95)

Casing:

- 1) Diameter 18 inches
- 2) Length na feet
- 3) Type PVC

Screen:

- 1) Type Stainless steel
- 2) Length na feet
- 3) Static water level na feet

Pump:

- 1) Make Welline Pump
- 2) Model 81227K
- 3) Size 4 stage 10KEH bowl
- 4) Capacity 650 GPM

Motor:

- 1) Make US Electric
- 2) ID No 017148120
- 3) Horsepower rating 40 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 630 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Zimmatic (SN 18904)
- 2) Overall length 1320 feet
- 3) Number of towers 9
- 4) End gun Nelson 150
- 5) High or low pressure low (38psi)
- 6) Capacity 650 GPM

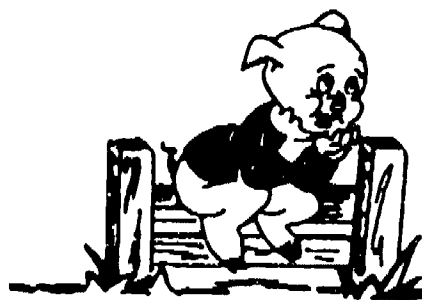
CHEMIGATION EQUIPMENT:

- 1) Does chemigate yes
- 2) Main line check valve Model CVM8. (Max 150 psi. Max 1200 gpm)
- 3) Inspection port/air relief yes
- 4) Low pressure drain yes
- 5) Discharge is 20' from source no
- 6) Interlock type low pressure electric interlock
- 7) Injection pump type Morse (piston type)
- 8) Injection check valve yes
- 9) Injection line check valve or positive displacement pump positive displacement pump
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules no (low pressure discharge not 20' from well)
- 11) Comments : I called Larry Rupiper 1/10/96 for well logs on both wells. pump and motor information for east well and to find out that the low pressure drain discharge has been moved to 20'.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes

3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **yes**



American Leasing, Inc.

Central Division

327 Broadway • Yankton, South Dakota 57078 • 605-665-0181

FAX COVERSHEET



DATE: 2-21-96

TO: Ken Buller

FROM: Larry Ruppert

RECEIVING FAX NUMBER:

605 773 4068

SENDING TELEPHONE NUMBER:

(605) 665-0092

NUMBER OF PAGES INCLUDING COVERSHEET:

3

MESSAGE:

I hope these well-logs will do you some good.

Thanks Larry

Larry Ruppert

40' Test hole #1 90.00

Log 0-11 Top soil & clay

11-16 Clay - Fine sand & gravel

16-34 Sandy clay

34-40 Gravel

40' Test hole #2 90.00

Log 0-11 Top soil & clay

11-15 clay & gravel

15-35 Sandy clay

35-60 gravel

total 02



MISSOURI VALLEY IRRIGATION, INC.
EAST HIGHWAY 22, RR 4
YANKTON, SD 57078
PHONE: 605-665 6122

WELL LOG

0-38 clay - chalk
38-54 Gravel
54-50 Clay - gravel

NAME: Larry Ruppert
ADDRESS: 4610 S. Dak
PHONE: 665-9736
LOCATION: 12 mi N 1/2 W from Yankton
DATE STARTED 5-21-76 DATE COMPLETED 5-21-76
TOTAL DEPTH 64 ft DIAMETER OF CASING 16"
FEET OF PLAIN _____ FEET OF SCREEN _____ TYPE _____
AMOUNT OF GRAVEL PACK _____ TYPE OF SIZE OF GRAVEL _____
DRILL OPERATOR Jack Harper ROUGHNECKS Dennis Worinman
Bruce Kothel
ADDRESS _____
TEST PUMPED YES _____ NO _____ DATE _____ GPM _____
STATIC WATER LEVEL _____ PUMPING LEVEL _____

PUMP INFORMATION

DATE SET _____ BY WHOM _____
PUMP _____ MODEL _____
ELECTRIC _____ H.P. _____ GEAR HEAD _____ H.P. _____
GEAR HEAD _____ MODEL _____
STAGES _____ BOWL SIZE _____ MODEL NO. _____
FT. OF COLUMN _____ SIZE OF COLUMN _____
FT. OF SHAFT _____ SIZE OF SHAFT _____
SUCTION PIPE _____ FEET _____ SIZE _____
DISCHARGE SIZE _____ T.D.H. _____
PREPARED BY: _____
ADDRESS: _____
PHONE: _____ DATE _____





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 9, 1996

3514-3
4179-3

Larry Rupiper
RR 1, Box 252
Yankton, SD 57078

Dear Mr. Rupiper:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 3514-3 and 4179-3, has been completed. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per permit for the inspection and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per permit (\$100.00 total) from you, we will begin processing your Water Licenses.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit numbers. This will insure proper handling of the fee.

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
 Consult postmaster for fee.

3. Article Addressed to:

3514-3
4179-3

4a. Article Number

P 378 081 286

4b. Service Type

- ☒ Registered ☐ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8-28-96

5. Received By. (Print Name)

6. Signature. (Addressee or Agent)

L
[Signature: Larry Rupiper]

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 26, 1996

SECOND NOTICE

Permit Nos. 3514-3
4179-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Larry Rupiper
RR 1, Box 252
Yankton, SD 57078

Dear Mr. Rupiper:

On April 9, 1996, you were notified the final inspection fee of \$50.00 per license (\$100.00 total) is due before Water License Nos. 3514-3 and 4179-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee per license (\$100.00 total), your Water Licenses will be sent to you. This is the final document for the perfection of your Water Rights. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fees are paid. Please submit the required fee immediately to avoid jeopardizing your water permits.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

3514-3
4179-3

Larry Rupiper
RR 1, Box 252
Yankton, SD 57078

Dear Mr. Rupiper:

Enclosed are Water License Nos. 3514-3 and 4179-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415071 and 415072 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 3514-3 and 4179-3, 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 Licenses, 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 Program
(605) 773-3352

gm
enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 3, 19 96

RECEIVED OF American Leasing, Inc. (Larry Rupiper), 327 Broadway, Yankton, SD 57078
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. 3514-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

50 00

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatch (Signature)

3514-3
415071

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

Consult postmaster for fee.

3. Article Addressed to:

Larry Rupiper
RR 1 Box 252
Yankton SD 57078

3514-3

4a. Article Number

P378 080 598

4b. Service Type

☐ Registered

☒ Certified

☐ Express Mail

☐ Insured

☐ Return Receipt for Merchandise

☐ COD

7. Date of Delivery

2-5-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X M. Stewart

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

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



3514-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: LARRY RUPPER, RR 1 BOX 252, YANKTON, SD 57078

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

SUBJECT: Violation of Water Permit No(s). 3514-3 & 4179-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3514-3 & 4179-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3514-3 & 4179-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 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) 3514-3 & 4179-3 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 28, 1997, 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.



3514-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 1997

NOTICE

TO: LARRY RUPPER
RR 1 BOX 252
YANKTON SD 57078

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

RE: Failure to Report Chemical Use under Water Permit No(s) 3514-3 & 4179-3

The first notice to file chemigation report(s) for Permit No(s) 3514-3 & 4179-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for Permits No(s) 3514-3 & 4179-3. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 3514-3 & 4179-3 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 chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.



3514-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1997

3514-3
4179-3

Larry Rupiper
327 Broadway
Yankton, SD 57078

Dear Mr. Rupiper:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notices of Violation of Water Permit Nos. 3514-3 & 4179-3 and Failure to Report Chemical Use.

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 and if you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: LARRY RUPIPER, 327 BROADWAY, YANKTON, SD 57078
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3514-3 & 4179-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(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) 3514-3 & 4179-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3514-3 & 4179-3 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 27, 2004**, 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.



3514-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9562

Your item was delivered at 2:09 pm on January 15, 2004 in YANKTON, SD 57078. The item was signed for by J HUTBHMACHEQ.

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2301 3460 0000 8515 9562

LARRY RUPPER
327 BROADWAY
YANKTON SD 57078

Waiver of Signature ☐ YES ☐ NO

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3514-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 2, 2004

3514-3
4179-3

Larry Rupiper
327 Broadway
Yankton SD 57078

Dear Mr. Rupiper:

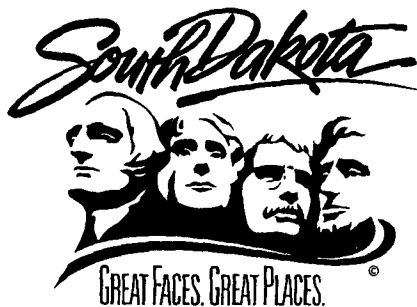
I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 3514-3 and 4179-3.

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

If you have any questions, please contact me.

Sincerely,

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



3514-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: LARRY RUPPER, 327 BROADWAY, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3514-3 & 4179-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 3514-3 & 4179-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 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) 3514-3 & 4179-3 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 25, 2005, 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.



3514-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 0797

Your item was delivered at 1:51 pm on January 21, 2005 in YANKTON, SD 57078. The item was signed for by J RUIPER.

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0797

LARRY RUIPER
327 BROADWAY
YANKTON SD 57078

Waiver of Signature ☐ YES ☐ NO

Postmark
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3514-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2005

3514-3
4179-3

Larry Rupiper
327 Broadway
Yankton SD 57078

Dear Mr. Rupiper:

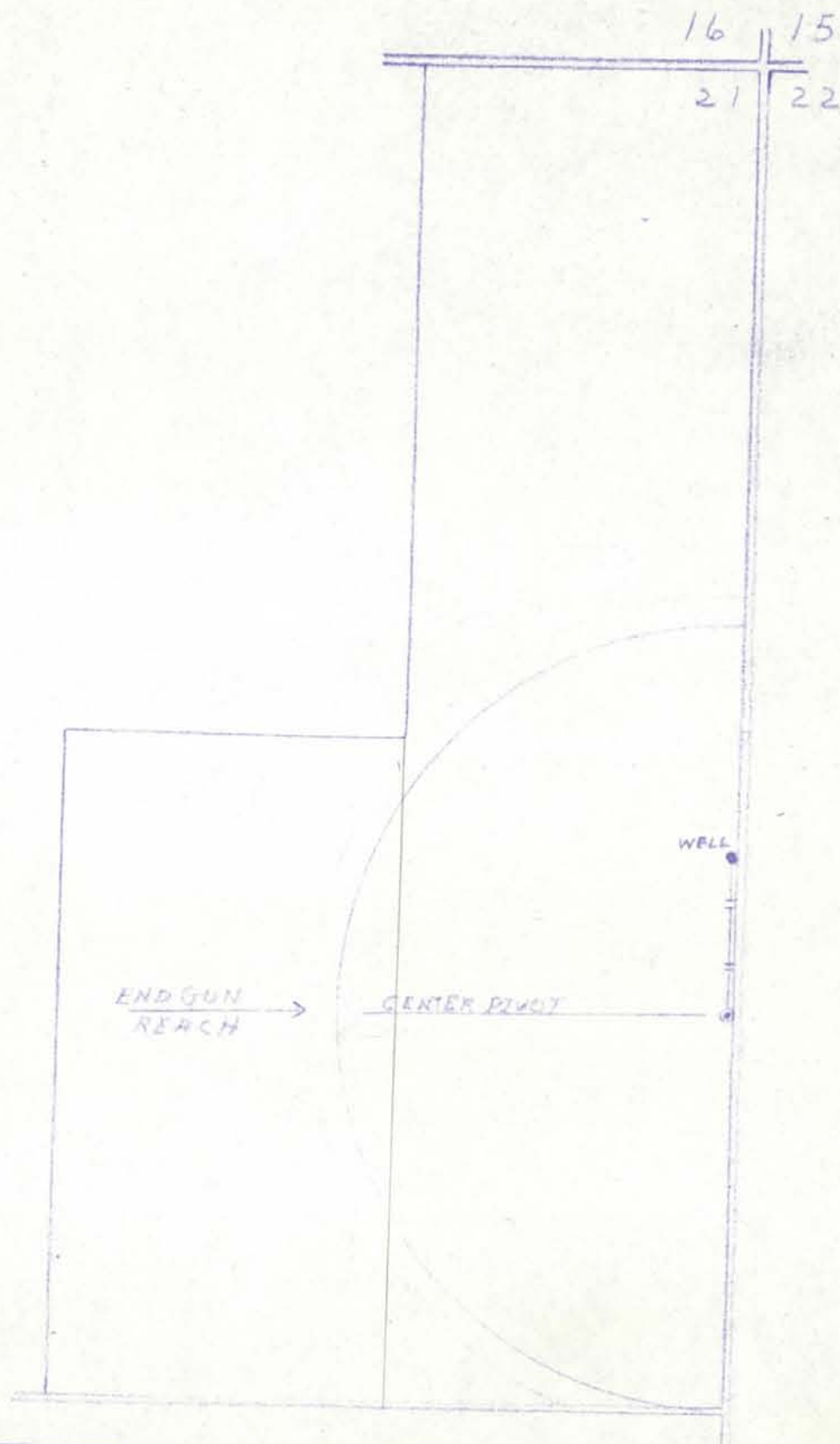
I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 3514-3 and 4179-3.

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

If you have any questions, please contact me.

Sincerely,

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



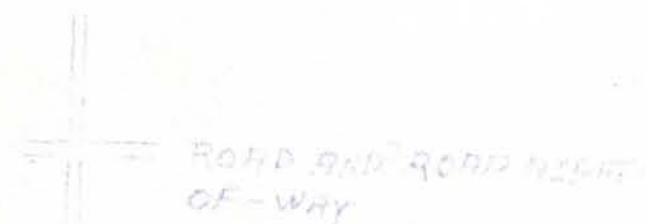
• WELL

LOCATION: 3100 FEET SOUTH
AND 50 FEET WEST OF THE
NE CORNER OF SECTION
21-T9S-R56 YANKTON COUNTY
SOUTH DAKOTA

16 15
21 22 SECTION CORNERS

—||— PIPE LINE

• PIPE RISER



SCALE: 8 INCHES = 1 MILE

REFERENCE Larry R. Piper's Cont. Plan
Planning assistance by Lloyd Gehm
DISTRICT CONSERVATIONIST SOIL
CONSERVATION SERVICE, YANKTON
SOUTH DAKOTA

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ASSISTING

SOIL CONSERVATION DISTRICT

DRAWING NUMBER

SHEET 1 OF 4 SHEETS
DATE 7-8-76

MAN 2794-3 APPC N° 3514-3

K. B. H.
KEN BUHLER
NATURAL RESC. ENGINEER
WATER RIGHTS PROGRAM

NOT TO SCALE

1993

3514-3



MAP FOR WATER RIGHT/PERMIT 3514-3 & 4179-3

3514-3



3514-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2006

3514-3
4179-3

Larry Rupiper
317 Broadway Ave
Yankton SD 57078-4212

Dear Mr. Rupiper:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to 327 Broadway Ave, Yankton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



3514-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: LARRY RUPPER, 317 BROADWAY, YANKTON, SD 57078 4212

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3514-3 & 4179-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 3514-3 & 4179-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 3514-3 & 4179-3 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 March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2007

3514-3
4179-3

Larry Rupiper
317 Broadway
Yankton SD 57078

Dear Mr. Rupiper:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 3514-3 and 4179-3.

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

If you have any questions, please contact me.

Sincerely,

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



3514-3

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 25, 2019

NOTICE

TO: LARRY RUIPIER, 317 BROADWAY, YANKTON, SD 57078 4212

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3514-3, 4179-3 & 7220-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(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) 3514-3, 4179-3 & 7220-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3514-3, 4179-3 & 7220-3 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 before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

3514-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2019

3514-3
4179-3
7220-3

Larry Rupiper
317 Broadway
Yankton SD 57078-4212

Dear Mr. Rupiper:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Permit/Right Nos. 3514-3, 4179-3 & 7220-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

Water Right No. 3514-3

Water Rights Program – DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 3514-3
Larry Rupiper

ADDRESS: 317 Broadway, Yankton, SD 57078-4212 COUNTY: Yankton

DATE: July 14, 2020 TELEPHONE: 605 660-1024

RE: Updates to Water Right No. 3514-3

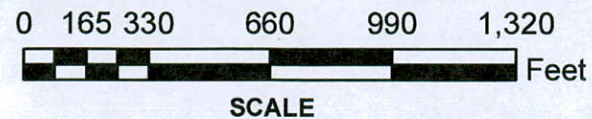
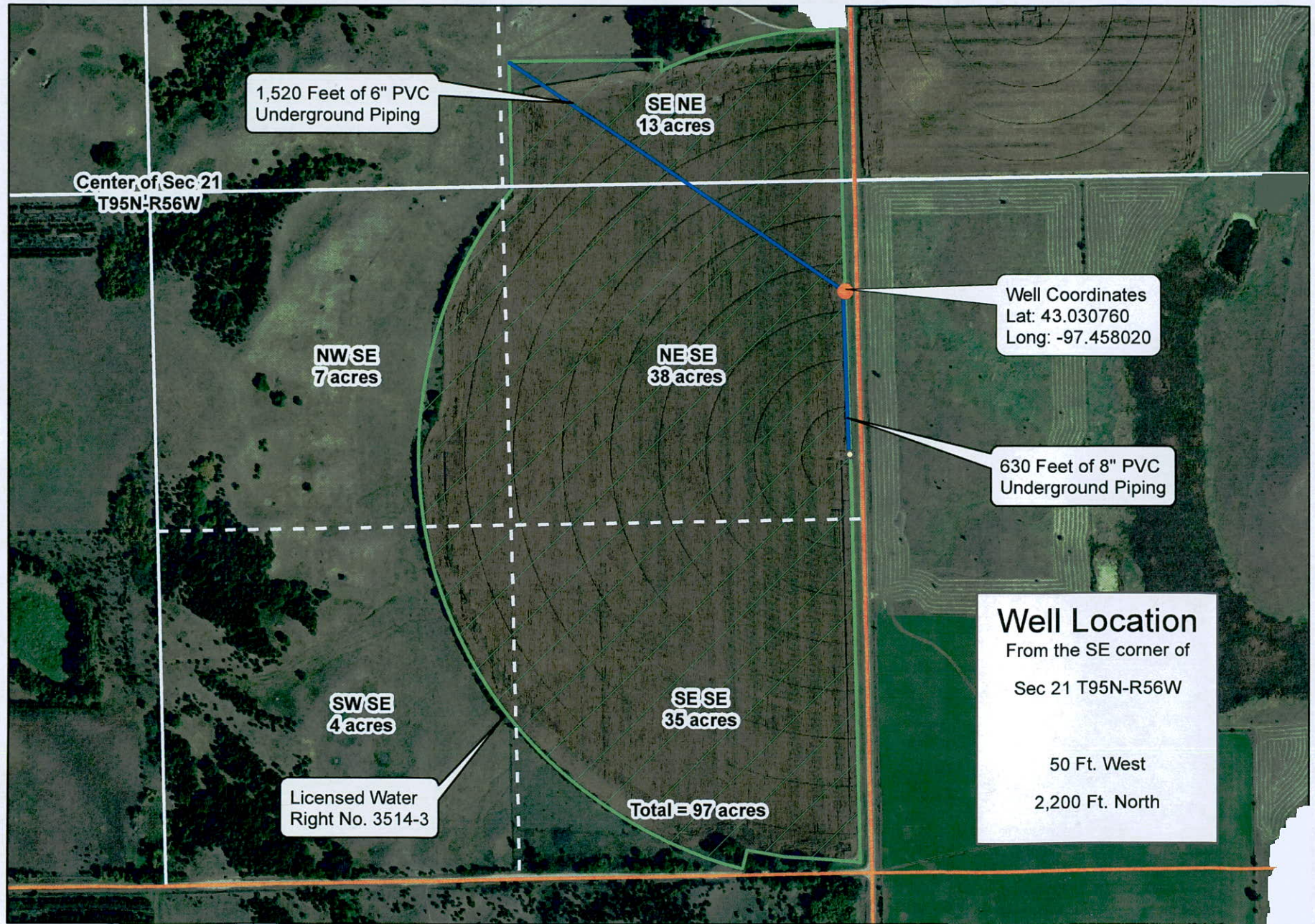
COMMENTS:

I met with Mr. Rupiper today concerning Water Right No. 7220-3. While discussing that water right, Mr. Rupiper mentioned that he replaced the original center pivot and added a second center pivot for Water Right No. 3514-3 a few years ago. Both pivots are Valley pivots. These pivots are on property adjacent to portions of Water Right No. 7220-3, so I looked at those pivots when I was at the site. The attached drawing indicates the two pivots and the area now irrigated. The irrigated ground amounts to 97 acres, which is that amount allowed by the licensed water right.

The new pump at the site is a Goulds pump, Model No. 12CLO-GP that is rated for 750 gpm. However, the pivot nozzles are set to only allow 650 gpm. The new motor is a 40 hp US Electric motor, Frame No. 324TP-WPI.

Keith DeJong, PE
Staff Engineer

Water Right No. 3514-3



Keith DeJong

Keith DeJong, PE
Staff Engineer
July 14, 2020



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

3514-3

July 13, 2022

Larry Rupiper
317 Broadway
Yankton SD 57078

Dear Mr. Rupiper:

The irrigation season is in full swing. This has led to the Department of Agriculture and Natural Resources (DANR) fielding inquiries regarding end gun overspray on to roads. This is a reminder that a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right.

DANR received an inquiry alleging the irrigation system located in the E 1/2 SE 1/4 Section 21-T95N-R56W had irrigation water from the end gun hitting the road. The water right for this system is held in your name under Water Right No. 3514-3.

Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road. If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at ron.duvall@state.sd.us

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DANR

Schlaak, Karen

Subject: FW: [EXT] Irrigation over spray - Yankton County

From: Pontious, Brian <Brian.Pontious@state.sd.us>
Sent: Tuesday, July 12, 2022 2:01 PM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: Fw: [EXT] Irrigation over spray - Yankton County

I believe this is for you?

Brian Pontious

Policy Advisor

South Dakota Department of Agriculture and Natural Resources

523 E. Capitol Ave. Pierre, SD 57501

605.773.4073

danr.sd.gov

From: Cheri Loest <cheri@co.yankton.sd.us>
Sent: Tuesday, July 12, 2022 10:10 AM
To: DANR Mail <DANRMail@state.sd.us>
Subject: [EXT] Irrigation over spray - Yankton County

Hello,

I could not find a link or phone number to report the over spray of an irrigation pivot on county road 437th Ave and township road 301st St. The pivot is located on the E1/2 of the SE1/4 of S21-T95N-R56W. The land is owned by the Larry & Jane Rupiper Trust.

Please forward this information to the appropriate department.

Regards,

Cheri Loest

Vice Chair, Yankton County Commission



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

No. 3514-3

May 20, 2026

Larry Rupiper
317 Broadway Ave
Yanktaon SD 57078

Dear Mr. Rupiper:

The Department of Agriculture and Natural Resources (DANR) has again this season received information alleging the irrigation system located in the E ½ SE ¼ Section 21-T95N-R56W had irrigation water from the end gun overspraying on the road.

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

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DANR taking enforcement action including but not limited to suspension of the permit.

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

Thank you for your cooperation,

Adam Mathiowetz
Acting Chief Engineer
DANR-Water Rights Program

Rodriguez, Rachel

From: Koisti, Ben
Sent: Monday, May 18, 2026 1:59 PM
To: Rodriguez, Rachel
Subject: FW: [EXT] Irrigation pivot overspray

Afternoon Rachel –

Please see message that came through DANR mail.

Thank you,

From: CL <central44@protonmail.com>
Sent: Sunday, May 17, 2026 3:18 PM
To: DANR Mail <DANRMail@state.sd.us>
Subject: [EXT] Irrigation pivot overspray

Hello,

Contacting you again about overspray of irrigation pivot in Yankton County. Below is a snapshot of a previous email. The issue was never fixed.

Irrigation over spray - Yankton County

Cheri Loest <cheri@co.yankton.sd.us>

Tue 7/12/2022 10:10 AM

To: DANRMail@state.sd.us <DANRMail@state.sd.us>

Hello,

I could not find a link or phone number to report the over spray of ar 437th Ave and township road 301st St. The pivot is located on the E1. The land is owned by the Larry & Jane Rupiper Trust.

Please forward this information to the appropriate department.

Regards,

Cheri Loest

Vice Chair, Yankton County Commission

Regards,
Cheri Loest
Yankton County resident
605.653.0910