

Water Right Number 3581-3

1. Considered 3-24, 19 77
2. Name of Applicant DUANE WYNIM
3. Post Office Address SPRINGFIELD
4. Amount of Water claimed 2.20
5. Source of Water supply 240' WELL
6. Water to be used for IRR.
- Acres to be irrigated 160
7. Water to be diverted and used in BON HOMME County
about 68 4 W miles of TYNDALL
8. Proof of Publication Received 3-18-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 3581-3Map No. 2859-3 Water Division No. 3 MISSOURI 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 Duane Wynia
Postoffice address Springfield, State South Dakota
If a corporation show date and place of incorporation na
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
3. Name of diversion work Belle View Farm Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) -2.3- 7.25
5. Source of water supply well
6. Location of point of diversion near center of the SE $\frac{1}{4}$ section 5-93-60

- County Ben Harris
7. Annual period or periods during which water is to be used April thru November
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 160

List below each forty acre subdivision or lot, or fraction thereof and show number of acres to be irrigated in each

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE $\frac{1}{4}$ section 5 -93-60	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 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 Appropriately Water publication Springfield Times
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural course.
wellB. Works proposed to transport water to place of use.
pipelineC. Works proposed to apply water to beneficial use.
center pivotEstimated Total Cost \$ 10,000.00Attachments: 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 Ben Harris)I, Duane Wynia, 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 constructionSigned Duane Wynia
Subscribed and sworn to before me this 9th day of August 19 76.
Wm. M. Kautz
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3581-3
DUANE WYNIA SPRINGFIELD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57062 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 AUGUST 10 19 76
 Date of return to applicant for correction, amendments or changes required AUGUST 10 19 76
 Date of receipt of corrected application SEPTEMBER 9 19 76
 Approved MARCH 24 19 77, Recorded in Book 17 Page 317

WATER RIGHT PERMIT NO. 3581-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3581-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 10 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 24 19 76
3. The whole of said work is to be completed on or before MARCH 24 19 80 82 11-27-79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 24 19 81 83
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 24 19 81 83 said water to be used during the following described annual period: APRIL THRU NOVEMBER

Witness my hand this 19TH day of APRIL 19 77

WATER RIGHTS COMMISSION

By: John Hatch
 (Chief Engineer, Executive Officer)

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 240'
- (2) Casing, Type concrete Diameter 16" Thickness 1 "
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson Irrigator, Diameter 16", Length 20
- (4) Gravel Pack, Thickness 7", Length of gravel pack 240'

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 sand and gravel

Depth to top of water bearing material 190'

Depth to bottom of water bearing material 240'

Thickness of water bearing material 50± ft

Depth to water (ground surface to water level) 90'

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

On same owner's property 70 rds. On property owned by others 130 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.

Deanne D. Doria
Signature of Applicant

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

Submitted by: Duane Lynia
 Address: Springfield, SD 57062

Date Rec'd: August 26, 1976

Sample No.: 76-1113

Identification: G11-200'

SEP, Sec. 5, T. 93N, R. 60E

WATER ANALYSIS

Calcium (Ca)	286	ppm*	14.30	me/l**
Magnesium (Mg)	57	ppm	4.37	me/l
Sodium (Na)	34	ppm	1.43	me/l
Potassium (K)	23	ppm	0.60	me/l
Sulfate (SO ₄)	780	ppm	16.22	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	22	ppm	0.61	me/l
Bicarbonate (HCO ₃)	376	ppm	6.16	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	303	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1602	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.48			
Sodium	7.03	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	6.86			

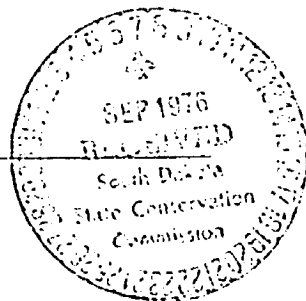
Others:

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 21.35 me/l
 Total anions 22.93 me/l



By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

3.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1113

Amount Enclosed \$

Signed

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

Submitted by: Duane Wynn
 Address: Springfield, SD 57062

Date Rec'd: August 26, 1976
 Sample No.: 76-1153
 Identification: 011-200
SE1, Sec. 5, T. 93N, R. 60.

WATER ANALYSIS

Calcium (Ca)	286	ppm*	14.30	me/l**
Magnesium (Mg)	57	ppm	4.67	me/l
Sodium (Na)	34	ppm	1.48	me/l
Potassium (K)	23	ppm	0.60	me/l
Sulfate (SO ₄)	780	ppm	16.22	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	22	ppm	0.61	me/l
Bicarbonate (HCO ₃)	376	ppm	6.16	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	308	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1602	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.48			
Sodium	7.03	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	6.86			
Others:				

*ppm=parts per million.

**me/l=millequivalents per liter

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

COMMENTS: Total cations 21.05 me/l
 Total anions 22.93 me/l



By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

3.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1153

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

No. 3391-3

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

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 19 77

Notice is hereby given that Duane Wynia

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

2.2 cubic feet of water per second of time from the center of SE 1/4 through the Belle View Farm Irrigation Proj. #, the point of diversion of which is to be located in the Center of SE 1/4

of Section 5, Twp. 93N, Range 60W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, Section 5-T93N-R60W

This application No. 3391-3 will be considered by the Water Rights Commission at their office at Pierre upon the 24 day of March, 19 77, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON JONES JIM WINTERTON
Water Rights Specialist

BEJ/bw

cc: Duane Wynia, Springfield, South Dakota 57062

No. 3581-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Bon Homme) ss.

I, Wayne L. Bertrand hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Springfield Times

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 Springfield

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

March 10, 1977

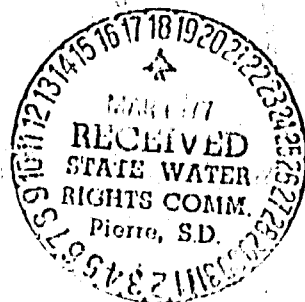
" 17, 1977

Wayne L. Bertrand
(Signature)

Publisher
(Title)

3-17-77
(Date Signed)

NOTICE INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
March 2, 1977
Notice is hereby given that
Duane Wynia, whose post office
address is Springfield, 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 12.2 cubic feet of
water per second of time from
ground water through the Belle
View Farm Irrigation Proj. No. 1,
the point of diversion of which is
to be located in the Center of SE 1/4
of Section 5, Twp. 93N, Range
60W. Said water to be used for the
purpose of providing irrigation on
portions of the following describ-
ed land: SE 1/4, Section 5, T93N-
R60W, Bon Homme Co., S.D.
This application No. 3581-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 24th day of
March, 1977, at 10:00 a.m. All
interested persons may appear
and be heard.
WATER RIGHTS COMMISSION
By: James Winterton
Water Rights Specialist
(March 10 & 17)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7118

PIERRE, November 7, 1979

RECEIVED OF Duane Wynia, Springfield, SD 57062
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw. No.		
Fee for filing extension of time for water right No. 3521-3		250
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		250

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (91)

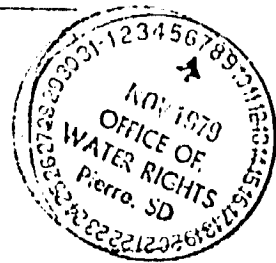
Form 18.

No. 3581-3

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date X NOV 1 - 1979



Dear Sirs:

In Water Right Permit No. 3581-3 it is specified that the water diversion system is to be completed by March 24, 1980 and that the water is to be put to the limit of beneficial use by March 24, 1981.

I hereby request that the date for completing the diversion system be extended to March 24, 1982 and that the date for putting the water to the limit of beneficial use be extended to March 24, 1983.

The extension of time for the completion of these works is requested for the following reasons: desire to remove trees and old buildings so the center pivot can
make a complete circle. Also may add a corner system after the center pivot can
make a complete circle.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

X Duane Dypud
(Signed)

3581-3
Permit Number

APPROVED: 11/27/79

Board of Water Management

BY:

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

November 30, 1979

Laune Wynia
Springfield SD 57062

Dear Mr. Wynia:

This is to inform you that your request for extension of time dated
November 1, 1979 for Water Right No. 3581-3 has been
approved by the Board of Water Management as follows:

The date for completing construction of the water system has
been extended to March 24, 1982, and the date for
putting the water to the limit of beneficial use has been
extended to March 24, 1983.

Enclosed herewith is Receipt No. 4 7118 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,

LETTY WESTLUND
Water Rights Specialist

LMW:kw

enclos.rrc

Form 10.

No. 3581-3



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

Post Office Springfield, S.Dak.

57062

Date Jan. 10, 1983

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

Dear Sirs:

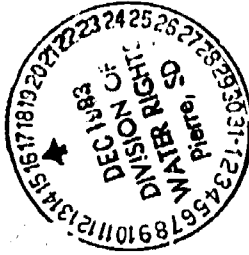
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3581-3.

Water Right Permit No. 3581-3 states that the diversion system is to be constructed by March 24, 1982 and that the water is to be put to beneficial use by March 24, 1983.

The diversion system was completed on March 24, 1982.
Applying the water to beneficial use was completed on March 24, 1982.

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.

Duane Wynia
(Signature)



3581-3

Tyndall, S.Dak.
Dec. 15, 1983

Dear Sir,

I applied for a license in 1983 as my permit had matured after the five year requirment.

As of this date I have not had any response in regards to my request for my license are there any further requirments in regards to getting this license. Please inform me if there is.

Sincerely,

Duane D. Wymer
Box 276
Springfield, SD
57062

Water Rights Division
605 773-3352

December 20, 1983

3581-3

Duane D Wynia
Box 276
Springfield SD 57062

Dear Mr. Wynia:

This letter is in reference to your letter dated December 15, 1983 in which you inquired as to the requirements for obtaining a water license.

Your water permit file shows that you notified this office in January, 1983 that your system was completed and ready for inspection. When time permits, a member of our staff will be out to inspect your water use system. The inspections are usually done on a county-by-county basis.

At this time, you have complied with all the requirements for obtaining a water license, including notification of completion of works. The next step, the final inspection, is done by our staff. The intervening time between your notification to this office, and the final inspection, has no bearing on your water permit.

If you have any further questions, please contact this office.

Sincerely,

GENNY MCMATH
Natural Resources Engineer

GM:ks

3581-3

 **Department of
Water & Natural Resources**

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

November 14 1989

Duane Wynia
Box 516
Tyndall SD 57056

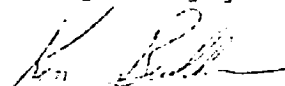
Dear Mr. Wynia:

Our office is in the process of issuing a Water License for Water Permit No. 3581-3. In order to complete the file, and before the license can be issued, a well log is needed for the following described well:

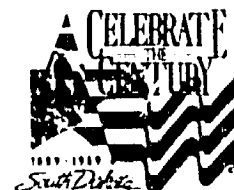
Center NE 1/4 NE 1/4 SE 1/4 Sec. 5, T93N-R60W

The water license is nearly ready to be issued but cannot be done until an "as constructed" log of this well is obtained. Your prompt attention in this matter will be appreciated. If you have any questions, please contact me.

Very truly yours,



KEN BUHLER
Natural Resources Engineer
Water Rights Division
(605)773-3352





Department of Water & Natural Resources

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

January 4, 1990

3581-3

Duane Wynia
Box 276
Springfield, SD 57062

Dear Mr. Wynia:

The inspection of your water use system and the inspection of the extent of the application of water to beneficial use, as developed under your Water Permit No. 3581-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

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

Permit No. 3581-3

Water District

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

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

I have this day made a thorough examination of the water use system constructed by Duane Wynia
Boulevard of Springfield, SD 57064 holder of
 Permit No. 3581-3, bearing the priority of August 10, 1976 authorizing
 the diversion of 2.28 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Bon Homme County.

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

- A. Works used to divert the water: The system consists of one well constructed by Dakota Boring Co. The well is 185 feet deep, cased and screened with 16-inch diameter PVC. The pump is a National 8-inch pump capable of 1300 gpm. The motor is an Allis-Chalmers 100 HP electric motor.
- B. Works used to transport water to place of use: The distribution pipeline consists of 10-inch diameter PVC pipeline 815 feet long.
- C. Works used to apply water to beneficial use: Water is applied to beneficial use through a Olson center pivot system. The system has 10 towers with a span of 125 feet between towers. The overall length of the system is 1290 feet, it has an end gun, and operates at 65 psi with 800 gpm.

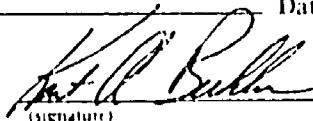
The system is in the following condition GOOD

The point of diversion is located 2670 feet N 46°W from the SE corner of Sec. 5, T93N-R60W
(NW 1/4 SE 1/4 NW 1/4 SE 1/4 of Sec. 5, T93N-R60W)

The works are capable of diverting and conveying to the place of use 1.78
 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: NE 1/4 SE 1/4 - 35 acres, NW 1/4
SE 1/4 - 36 acres, SW 1/4 SE 1/4 - 20 acres, SE 1/4 SE 1/4 - 35 acres; all of Sec. 5, T93N-
R60W

comprising a total of 126 acres of land and the license should be issued for 1.78 cfsApplicable permit qualifications have been complied with X Yes No Inspected Sept 15, 1987Exceptions to compliance are: Date Dec. 9, 1987


 (signature)

LICENSE FOR PERMIT NUMBER 3581-3

1. Legal location of wells: 2670 feet N 46°W from the SE corner of Sec. 5, T93N-R60W
(NW 1/4 SE 1/4 NW 1/4 SE 1/4 of Sec. 5, T93N-R60W)

dams & structures: _____

2. Well Information: Well Drilling Firm Delota Boring Co. (SD License No. 234)
(log not available)

No. of wells one Depth 185 feet

Casing a) diameter 16-inch Screen a) type PVC

b) length 125 feet b) length 60 feet

c) type PVC Static Water Level unknown

Pump a) make National Motor a) make Allis-Chalmers

b) model N260-8, SN 577-882 b) model no. 146 SN 51-355-427

c) size 8 inch c) horsepower rating 100 HP

d) capacity 1300 GPM d) motor efficiency rating

e) turbine pump unknown

no. of stages unknown

3. Distribution lines:

a) size of lines 10-inch

b) type pvc

c) length 815 feet

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot ^{Model # 103P}

- 1) make Olson SN 4042
- 2) number of towers 10
- 3) distance between towers
125 feet
- 4) overall length 1290 feet
- 5) End gun (Y/N) Nelson 100
- 6) high or low pressure High
- 7) make & size of nozzles
Nelson nozzles
- 8) PSI reading while system is
running 65
- 9) GPM 800

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

X

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

X

2. Special Qualification: to permit being abided by.

X

3. All Structures, wells and lands on map.

REMARKS:

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3581-3

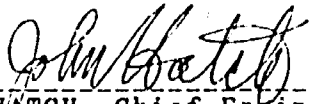
(1) Duane Wynia of Box 276, Springfield SD 57062 made Application No. 3581-3, August 10, 1976 for a water permit to appropriate 2.28 cubic feet of water per second from groundwater (one well), Bon Homme County, South Dakota for irrigation purposes. Permit No. 3581-3 with a priority date of August 10, 1976 was approved March 24, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 24, 1982 and for the application to beneficial use of said water on or before March 24, 1983.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is: 2670 feet N46°W from the SE corner of Section 5, T93N, R60W (NW 1/4 SE 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:

T93N, R60W Section 5 NE 1/4 SE 1/4	35 acres
NW 1/4 SE 1/4	36 acres
SW 1/4 SE 1/4	20 acres
SE 1/4 SE 1/4	35 acres
TOTAL	126 acres

(4) Pursuant to Section 46-5-30.1 Duane Wynia of Box 276, Springfield SD 57062 the holder(s) and/or owner(s) of Water Permit No. 3581-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of August 10, 1976 from the location specified in (2) of this license. The water is 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. 3581-3 and subject to South Dakota State Law.



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

MAR 21 1990

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412037

Pierre, January 15, 1990

RECEIVED OF Duane Wynia, Box 276, Springfield, SD 57062-0276

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____ Water Permit No. 5501-5	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By: [Signature]
Chief Engineer



Department of Water & Natural Resources

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

MAR 21 1990

3581-3

Duane Wynia
Box 276
Springfield SD 57062

Dear Mr. Wynia:

Enclosed is Water License No. 3581-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412037 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. 3581-3, 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) 773-3352

enclosures



DUANE WYNIA
BOX 276
SPRINGFIELD SD 57062

3581-3

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

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 3581-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 1992

3581-3

Duane Wynia
Box 276
Springfield, SD 57062

Dear Mr. Wynia:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Permit No. 3581-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

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 before the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

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:

DUANE WYNIA
BOX 276
SPRINGFIELD, SD 57062

4a. Article Number

P906 537 641

4b. Service Type

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

7. Date of Delivery

2-4-92

5. Signature (Addressee)

Duane Wynia

6. Signature (Agent)

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



3581-3

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

February 7, 1995

DUANE WYNIA
BOX 276
SPRINGFIELD SD 57062

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 3581-3. 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 hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 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. Following the hearing, the Water Management Board can:

1. Amend Permit No 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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

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:

3581-3

DUANE WYNIA
BOX 276
SPRINGFIELD, SD 57062

4a. Article Number

D 757 566 278

4b. Service Type

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

7. Date of Delivery

2-8-95

5. Signature (Addressee)

Duane Wynia

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

3581-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 1995

3581-3

Duane Wynia
Box 276
Springfield, SD 57062

Dear Mr. Wynia:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. The questionnaire was completed for you following our February 9, 1995, telephone conversation. You may disregard the February 7, 1995, **Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.**

The questionnaire 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 Division
(605) 773-3352

3581-3



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: DUANE WYNIA, BOX 276, SPRINGFIELD, SD 57062

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 3581-3. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

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):

- ☐ Addressee's Address
 - ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

DUANE WYNIA
BOX 276
SPRINGFIELD SD 570

4a. Article Number

2-348 318 913

4b. Service Type

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

7. Date of Delivery

1-31-96

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Duane Wynia

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

3581-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 1996

3581-3

Percy Tjeerdsma
Box 178
Springfield, SD 57062

Dear Mr. Tjeerdsma:

Thank you for returning the 1995 irrigation questionnaire pertaining to Water Right No. 3581-3.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with the water right. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

The water right was originally scheduled for hearing before the Water Management Board to consider action to be taken concerning the violation of the requirement to submit the 1995 irrigation questionnaire. As we discussed on the phone, since the ownership of the land has changed and the notice of hearing was not sent to the proper owner, the hearing before the Board has been canceled.

Thank you for contacting us regarding the questionnaire and ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure

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

Consult postmaster for fee.

3. Article Addressed to:

3581-3

Percy Tjeerdsma
Box 178
Springfield, SD 57062

4a. Article Number

P 378 081 277

4b. Service Type

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

7. Date of Delivery

T 8-27-96

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Percy Tjeerdsma*

Domestic Return Receipt



3581-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 26, 1996

SECOND NOTICE
Permit No. 3581-3

Percy Tjeerdsma
Box 178
Springfield, SD 57062

Dear Mr. Tjeerdsma

On March 5, 1996, notice was sent to you concerning the transfer of Water Right No. 3581-3 in the name of Duane Wynia. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352

Very truly yours,

RON DUVALL
Natural Resources Engineer
For John Hatch, Chief Engineer
Water Rights Program

enclosure

NOTICE OF TRANSFER OF OWNERSHIP



No. 3581-3

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

Date: 9-4-96

I request that Water Right No. 3581-3

formerly owned by: Duane Wynla, Box 276, Springfield, SD 57062

be transferred to: (name & address) Percy Tjeerdsma, Box 178, Springfield, SD 57062

Telephone No. (605) 369-2515

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

126 acres in the SE 1/4 Section 5, T93N, R60W

I understand that the validity of Water Right No. 3581-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Bon Homme)

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

Percy Tjeerdsma
(Signed)

Subscribed and sworn to before me this 6th day of September, 19 96.

Marcia Winegar
(Notary Public)

MY COMMISSION EXPIRES: 5/18/98

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

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

RECEIPT

415085

Division of Water Rights
South Dakota Department of Environment and Natural Resources

September 9, 1996

Pierre, _____

RECEIVED OF Percy Tjeerdsma, Box 178, Springfield, SD 57062

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. _____

Fee for Filing Transfer Form Water Right No. 3581-3

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

John Hatch

3581-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 4, 1996

No. 3581-3

Percy Tjeerdsma
Box 178
Springfield, SD 57062

Dear Mr. Tjeerdsma

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3581-3.

Our records now show you as the owner of Water Right No. 3581-3

Sincerely,

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

enclosure



3581-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: PERCY TJEERDSMA, BOX 178, SPRINGFIELD, SD 57062

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 has not been submitted for Permit No(s) 3581-3. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

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

Consult postmaster for fee.

3. Article Addressed to:

3581-3
PERCY TJEERDSMA
BOX 178
SPRINGFIELD SD 57062

4a. Article Number

2119 141 172

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)

Kendra Tjeerdsma

6. Signature: (Addressee or Agent)

X

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

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 22, 1998

3581-3

Percy Tjeerdsma
41175 309th St
Springfield, SD 57062

Dear Mr. Tjeerdsma:

i am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 3581-3.

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



January 22, 1999

3581-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 3581-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

3581-3

Is your RETURN ADDRESS 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 the 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:

PERCY TIEERDSMA
41175 309TH ST
SPRINGFIELD SD 57062

4a. Article Number

P378-080 705

4b. Service Type

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

7. Date of Delivery

1-23-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Percy Tieerdsma

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

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 1999

3581-3

Percy Tjeerdsma
41175 309th St
Springfield, SD 57062

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 3581-3.

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



3581-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2002

NOTICE**TO:** PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062**FROM:** Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 3581-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

3581-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery <u>1-17-02</u>	
1. Article Addressed to: PERCY TJEERDSMA 41175 309TH ST SPRINGFIELD SD 57062		C. Signature ☒ <u>Percy Tjeerdsma</u> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. <u>Perma, SD</u>	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	

7001 2510 0004 4797 4715



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2002

3581-3

Percy Tjeerdsma
41175 309th St
Springfield, SD 57062

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 3581-3.

I completed a questionnaire for you based on our January 23rd 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 9, 2004

Percy Tjeersdma
41175 309 St
Springview SD 57062

Dear Mr. Tjeersdma:

I am writing in regard to a well driller's report filed by Sargent Irrigation Co. for an irrigation well completed on July 3, 2003. The report indicates the new well was drilled in the NW ¼ SE ¼ Section 5-T93N-R60W.

A review of our files indicates you have two irrigation permits. Water Right No. 3581-3 authorizes 1.78 cubic feet of water per second (800 gpm) for irrigation of the SE ¼ Section 5. It appears this is a replacement well? Is this a correct assumption? Please let us know the status of this well.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

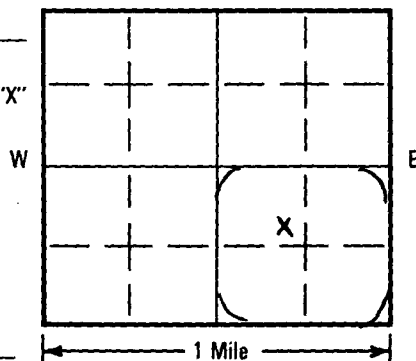
Karen Schlaak
Water Rights Program
605 773-3352

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 05 Twp 93 Rg 60County NorthBon Homme

Please mark well location with an "X"



Well Completion Date

7/03/03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>37</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>127</u> FT	<u>30</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	_____	<u>12-16</u> lb./gal	<u>20</u> ft	<u>127</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure TremmieSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 50 FEETMaterial 26 SDR PVC CasingSlot Size .085 Set From 127 Feet to 182 FeetOther information GravelWAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? ConcreteDescribe packer(s) and location? 20' to Surface

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: HTH

Laboratory sent to for water quality analysis

_____ NO, Why Not? _____

Well Owner: Percy Tjeerdsma

Business Name: _____

Address: 41175 309 St.Springview, SD 57062

WELL LOG:

		DEPTH	
FORMATION		FROM	TO
0	to	20	Clay w/a few calcium streaks
20	to	40	Sticky clay, rock @ 14'
40	to	60	8' clay, 12' med coarse sand
60	to	80	Med coarse sand & fine med gravel
80	to	100	Fine coarse sand
100	to	120	Fine crse sand & fine grvl w/cly strks (thin)
120	to	140	Fine coarse sand & fine gravel
140	to	160	5' fine coarse sand & fine med gravel, 10' clay
140	to	160	5' hard layers & sand & fine med gravel
160	to	180	Med coarse sand & fine med gravel, clay layer
160	to	180	@ 10', clay streaks in last 10'
180	to	200	5' med crse sand & fine med gravel (Big Rock)

STATIC WATER LEVEL 113 Feet

If flowing: closed in pressure _____ PSI

GPM flow 650 through 8 inch pipeControlled by ☐ Valve ☐ Reducers ☒ Other Sprinkler System GPM

Reduced Flowrate _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

143 ft. After 1 Hrs. pumped 600 GPM157 ft. After 1 Hrs. pumped 685 GPMIf pump installed, pump rate 650 GPM

REMARKS

RECEIVED

MAR 01 2004

WATER RIGHTS PROGRAM

This well was drilled under license # 273

And this report is true and accurate.

Drilling firm Sargent Irrigation Co.

Signature of License Representative:

Sargent Inc Co B: Dale Schindler

Signature of Well Owner or Equitable Property Holder:

Percy TjeerdsmaDate: 2-9-04

404

Nos. 3581-3 & 6413-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Percy Tjeerdsma

ADDRESS: COUNTY:

DATE: May 3, 2004 TELEPHONE: 369-2515

RE: well drilled in July 2003

COMMENTS:

Mr. Tjeerdsma called in response to the April 9th letter from Karen Schlaak. This letter inquired about a completion report we received for a well he had drilled in July 2003. The location of the well is the SE ¼ Section 5, T93N, R60W for irrigation of the SE ¼ of Section 5.

Mr. Tjeerdsma stated that his well authorized by Water Right No. 3581-3 failed and that he drilled this new well approximately 50 feet away from the original well location. The old well is abandoned and has been plugged. He went on to say that since he needed to drill this replacement well he didn't have the resources to drill the new well authorized by Water Permit No. 6413-3. For the time being, he has connected his new system authorized by Permit No. 6413-3 in the NE ¼ to this well. Water Permit is still within its time to complete works. I thought this was something that could be handled when licensing of Permit No. 6413-3 occurs.

NAME:

Eric Hundert

NOT TO SCALE

T 337

620

TREES

4.6

9

TREES

4.6

10

766 67-L

N

SEC. 5, T93N-R60W

27.7

7

26.3

20.3

8

5

126.9

T 2120

36 ACRES

35 ACRES

WELL

815' DIAMETER

PIVOT POINT

20 ACRES

2670 FEET

35 ACRES

N 46° W

140.7

8.0

2

3.5

3

39.0

T 2138

48.0

67-L

Water Right 3581-3

Kent A. Buhler

KENT A. BUHLER
 Natural Resources Engineer
 SD Dept of Water & Natural Resources
 Division of Water Rights

9-15-87

*Duane Wynia
Springfield*

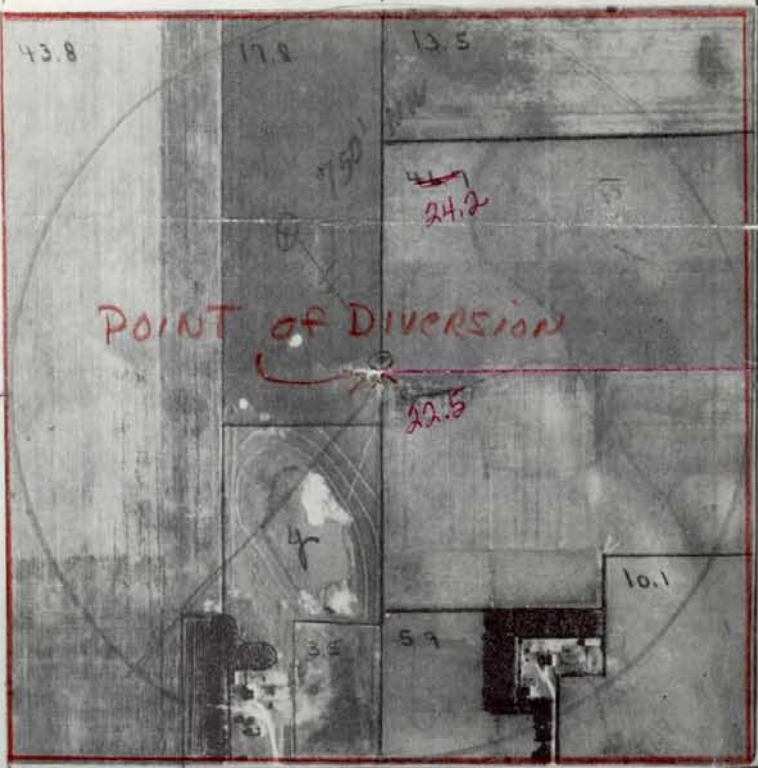
OPERATOR	FARM NO.	NAME AND ADDRESS	FARMLAND	CROPLAND
			320	291
			480	437
			495	449
			943	446
				449
				715

Tract No. ~~14-221~~ ¹²⁶ 14-157
Farm No. ~~14m-256~~ ¹³⁷ ~~14m-129~~ 14m-158
Operator Duane Wynia
Owner Same

*Area to be irrigated
outlined in red.*

14m-256-3 App N-3581-3

*Floyd Watson
District Conservation
SCS*





3581-2

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 24, 2006

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3581-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6413-3 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 2, 2006 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) 6413-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3581-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before **February 24, 2006**, 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 (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.



3581-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 6, 2006

NOTICE

TO: Percy Tjeerdsma, 41175 309th St, Springfield SD 57062

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: One Year Suspension of Water Permit No. 6413-3 and Amendment of
Water Right No. 3581-3

On March 2, 2006, the Water Management Board ordered:

That effective April 3, 2006, Water Permit No. 6413-3 be suspended for the 2006 irrigation season for failure to submit the 2005 irrigation questionnaire.

If the 2005 irrigation questionnaire is received prior to April 3, 2006 the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2006 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2006 unless the irrigation questionnaire is submitted by April 3rd.

After April 3rd, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2005 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 3, 2006 in Pierre, SD. The letter should include your reasons for not completing the 2005 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The Board also amended Water Right No. 3581-3 to add the following qualification:

"Water Right No. 3581-3 is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 6, 2006, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 6, 2006 addressed as stated below:

Notice of Amendment:

Rick Lantgen, Prairie Winds Golf Club, PO Box 681, Watertown SD 57201 (1612-3 & 1997-3)
 Don Hight Partnership, 14116 N Hwy 79, Piedmont SD 57769 (1040-1)
 Edward Patrick Henry, PO Box 11, Whiteclay NE 69365-0011 (672-2)

Notice of Three Year Suspension:

J V Kenneally, PO Box 50, Raymond SD 57258-0050 (3198A-3)
 James Jenkins, HCR 1 Box 20, Raymond SD 57258-9530 (4957-3)
 Gordon Flesner, HCR Box 45, Milesville SD 57553 (2197-2)
 Michael A Koslowski, 13329 443rd Ave., Waubay SD 57273 (5353-3)
 Dennis & Jackie McDowell, 227 W Lakeshore Dr, Carrollton GA 30117 (2480A-3)

Notice of One Year Suspension:

Jesse Wright, 10 Bittersweet Ln, Atkinson NH 03811 (1172-3)
 Stuart & Pamela Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701 (2106-2)
 Susan Porter, Manager, 28271 370th Ave, Geddes SD 57342 (962A-1)
 Richard T Peterson, 29B Ranch Oak Place, Sioux Falls SD 57110 (686-3)
 Calvin & Jana Meyers, 1409 Willow Creek Estates, Belle Fourche SD 57717 (402-1)
 John Larabee, LSW of South Dakota LLC, 42557 295th St, Scotland SD 57059 (375-2)
 Robert Hattum, 21744 West Bend Rd, Harrold SD 57536 (6168-3)
 Bret, Gary & Kristine Flihs, 39865 137th St, Groton SD 57445 (5640-3)
 Harlan Eisenbraun, 21362 Creighton Rd., Wall SD 57790 (495-2)

Notice of One Year Suspension of Water Permit and Amendment of Water Right

Percy Tjeerdsma, 41175 309th St, Springfield SD 57062 (6413-3 – suspend; 3581-3 – amend)



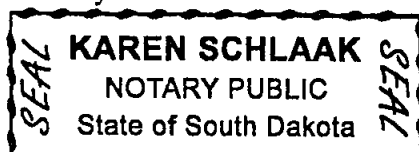
Eric Gronlund
 Natural Resources Engineer
 Water Right Program

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 7th day of March, 2000.



Notary Public



My Commission Expires
 April 1, 2007



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 3, 2006

6413-3
3581-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

On March 2nd, the Water Management Board ordered Water Permit No. 6413-3 be suspended if the 2005 irrigation questionnaire was not received prior to April 3, 2006. The Board's action included a motion to amend Water Right No. 3581-3 to include the mandatory irrigation questionnaire qualification.

The questionnaire information for Water Right No. 3581-3 and Water Permit No. 6413-3 has been received. Since the irrigation questionnaires are on file, no violation has occurred under Water Permit No. 6413-3 and no suspension will take place. You are hereby authorized to irrigate during the 2006 irrigation season.

If you have any questions, please contact Genny McMath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



**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: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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) 3581-3, 6413-3. 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) 3581-3, 6413-3 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) 3581-3, 6413-3 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/efrms/secure/efrms/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

March 9, 2007

3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

On March 7, 2007, the Water Management Board ordered:

That effective April 6, 2007, Water Right No. 3581-3 and Water Permit No. 6413-3 be suspended for the 2007 irrigation season for failure to submit the 2006 irrigation questionnaires.

The suspensions would not take place if the questionnaires were received by April 6th. Your irrigation questionnaires were received on March 8th. Since the irrigation questionnaires are on file, no violation has occurred and no suspension will take place. You are hereby authorized to irrigate during the 2007 irrigation season.

If you have any questions, please contact Genny McMath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



**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 18, 2008

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3581-3, 6413-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 3581-3, 6413-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** 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) 3581-3, 6413-3 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, 2008**, 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/E0455V6-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.

3581-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 3646
Status: **Delivered**

Your item was delivered at 1:52 PM on January 19, 2008 in
SPRINGFIELD, SD 57062. The item was signed for by P TJEERSTMA.

[Additional Details >](#)[Return to USPS.com Home >](#)

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No FEAR Act EEO Data

FOIA

Webmaster
FeedbackInternet
Access

PERCY TJEERDSMA
41175 309TH ST
SPRINGFIELD SD 57062

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

SIGNATURE CONFIRMATION NUMBER: 4496 2080 0000 0912 E0E2



**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 29, 2008

3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Permit No. 6413-3 and Water Right No. 3581-3.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3581-3, 6413-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 3581-3, 6413-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3581-3, 6413-3 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 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

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

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

3581-3

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Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 7507

PERCY TJEERDSMA
41175 309TH ST
SPRINGFIELD SD 57062

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 2, 2009

3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3581-3 and Water Permit No. 6413-3.

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
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3581-3, 6413-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(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) 3581-3, 6413-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3581-3, 6413-3 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 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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.



3581-3

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 9525

PERCY TJEERDSMA
41175 309TH ST
SPRINGFIELD SD 57062

Waiver of Signature ☐ YES ☐ NOPostmark
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www.state.sd.us/denr

January 29, 2010

3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 3581-3 and Water Permit No. 6413-3.

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

If you have any questions, please contact me.

Sincerely,

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

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



3581-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3581-3, 6413-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3581-3, 6413-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3581-3, 6413-3 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 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

3581-3



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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 14, 2012

3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

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

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 3581-3 and Water Permit No. 6413-3. 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
email: genny.mcmath@state.sd.us

May 20, 2012

RECEIVED

MAY 23 2012

WATER RIGHTS
PROGRAM

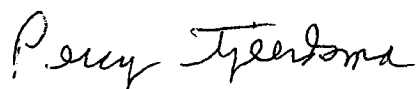
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

To Whom It may Concern:

This letter is to inform you of the drilling of a new irrigation well on my land. (Map enclosed) I will be abandoning the old irrigation well as it had no water pressure and was found that the casing had shifted underground and ruined the pump and the well is not salvageable.

Thank you for your attention to this matter and if you have any questions, please call.

Sincerely,



Percy Tjeerdsma
41175 309th Street
Springfield, SD 57062
(605) 369-2515 Home
(605) 464-1789 Cell



United States Department of Agriculture
Farm Service Agency



March 18, 2010

PLSS: 5_93N_60W
Farm: 5286

Bon Homme County, SD

1:8,091

RECEIVED

MAY 23 2012

WATER RIGHTS
PROGRAM

Wetland Determination Identifiers
☒ Restricted Use
☐ Limited Restrictions
☐ Exempt from Conservation Compliance Provisions

Common Land Units

//// Non Cropland

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

2008 Ortho-Photography - Not to Scale

Approval of a Change of Diversion Point

NAME: Percy Tjeerdsma

ADDRESS: 41175 309th Street, Springfield SD 57062

DATE: June 18, 2012 **COUNTY:** Bon Homme **TELEPHONE:**

BACKGROUND:

Water Permit No. 6413-3 appropriates 1.78 cfs from one well completed in the Choteau Tyndall Aquifer (approximately 180 – 210 feet deep to be located in the approximate center of the NE ¼ Section 5 for irrigation of 160 acres in the NE ¼ Section 5; all in T93N, R60W. The permit has a priority date of April 18, 2003.

Water Right No. 3581-3 appropriates 1.78 cfs from one well completed in the Choteau Tyndall Aquifer and located in the NW ¼ SE ¼ Section 5 to irrigate 126 acres in the SE ¼ Section 5; all in T93N, R60W. The water right has a priority date of March 24, 1977.

In May 2004, Mr. Tjeerdsma called in response to a letter he received from DENR regarding a well completion report for a well drilled July 3, 2003. Mr. Tjeerdsma explained that the well for Water Right No. 3581-3 had failed and a replacement well was drilled approximately fifty feet from the original well site. He went on to explain that he made the decision to supply the system in the NE ¼ of Section 5 using this well instead of drilling a well in the center of the NE ¼ of the section. The Water Rights Program, made the decision at that time to handle the change of diversion point at the time of licensing.

Upon reviewing the May 23, 2012 request, Mr. Tjeerdsma was contacted to determine his intention. He indicated that it was the 2003 well that failed and he now wants to drill a well in the center of the NE ¼ of Section 5 to supply water to both the pivots in the E ½ of this section. The proposed location is the site initially intended to drill the well for Water Permit No. 6413-3.

AUTHORITY:

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

- **Developed water source same as permitted source and no additional water appropriated**

The water source authorized by Water Right No. 3581-3 and Water Permit No. 6413-3 is the Choteau Tyndall Aquifer.

No additional appropriation of water is authorized. Water Right No. 3581-3 and Water Permit No. 6413-3 each appropriates 1.78 cfs from a well to supply their respective center pivots in the NE ¼ and SE ¼ of Section 5, T93N, R60W.

- **Review of Existing Diversions**

The proposed new well location is approximately 2,100 feet northeast of the present well. The well completion report database was reviewed for domestic wells and water rights/permits on file within two

miles of the diversion point. Also the previous staff reports by Jim Goodman for Water Permit Nos. 6413-3 and Water Permit No. 6454-3 were reviewed.

The well log database contains 12 domestic wells within a two mile radius of the proposed well location. These wells range in depth from 80 – 295 feet deep. Ten of the wells are more than 200 feet deep.

This is an area of extensive irrigation with 16 water rights/permits within a two mile radius of the new well location. Eleven of these water rights are completed into the Choteau:Tyndall Aquifer while the other five are completed into the Niobrara Aquifer. Mr. Tjeerdsma holds a water right in the NW ¼ of the section that will be closest to the new well location. There is also a water right that was obtained by Daniel Schuurmans in 2004 for irrigation of the SW ¼ of the section. This change will move the well farther from the Schuurmans well. The new well location will move its proximity 2,100 feet closer to the next three closest water rights that are to the north and northeast. However, in each case there will be at least one mile distance between the new Tjeerdsma well and these neighboring irrigation wells.

The Water Rights Program monitors two observation wells, BH76D and BH-78E, that are located about 3,200 feet northeast and one mile southwest of the new well location. Pumping does not appear to cause significant water level fluctuations in the observation wells. There is some drawdown created by pumping but it is not significant or adverse to other existing water rights in the area.

CONCLUSION

- The change in well location does not appropriate additional water.
- The well is completed into the Choteau:Tyndall Aquifer.
- Interference is not expected to be a concern.
- Existing domestic wells should not be adversely impacted by authorizing this change.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change of diversion point location to the approximate center of the NE ¼ Section 5, T93N, R60W be authorized under Water Right No. 3581-3 and Water Permit No. 6413-3 (to the extent the water supply for this permit was developed in the NW ¼ SE ¼ of Section 5 instead of the center of the NE ¼ Section 5).



Eric Gronlund
Water Rights Program

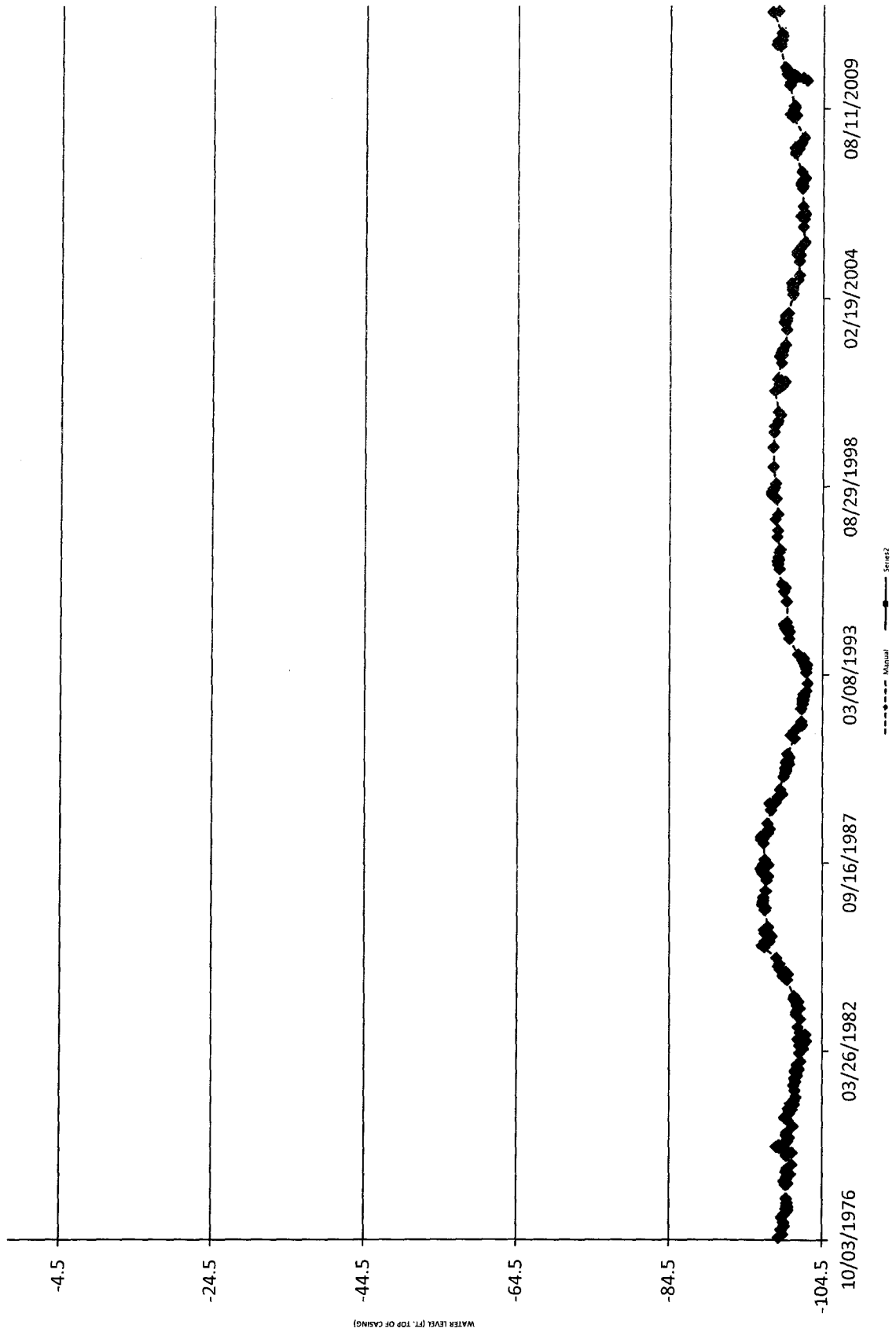
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in the diversion point does not increase the potential for adverse effects to existing diversions.

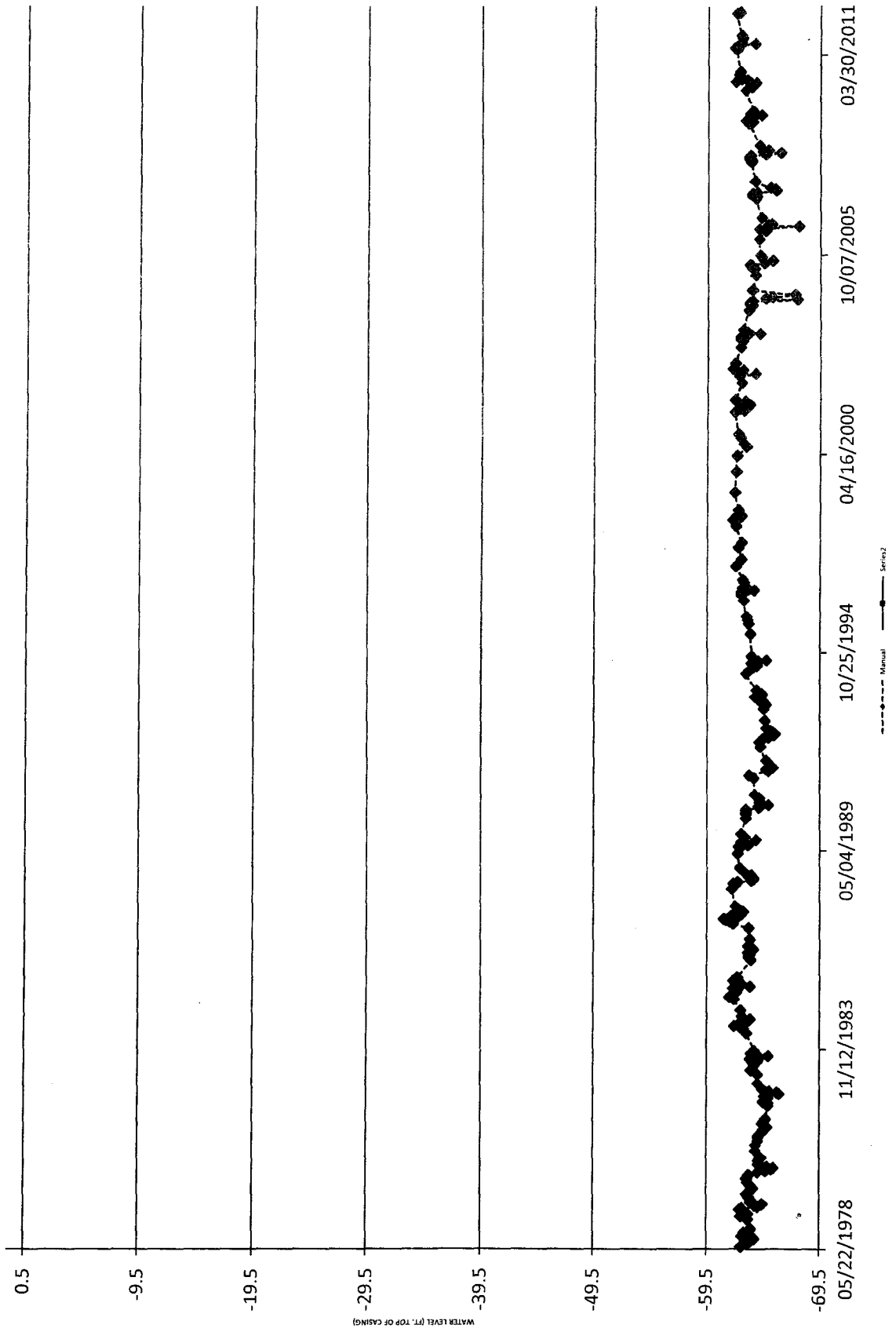


Garland Erbele, Chief Engineer
Water Rights Program

WATER RIGHTS' OBSERVATION WELL BH-76D



WATER RIGHTS' OBSERVATION WELL BH-78E





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 20, 2012

Percy Tjeerdsma
41175 309th Street
Springfield SD 57062

Dear Mr. Tjeerdsma:

You have filed a request to change the location of the well authorized by Water Right No. 3581-3 which also supplies Water Permit No. 6413-3 from the NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the approximate center of the NE $\frac{1}{4}$ of Section 5. This request is due to a failure of the existing well that has been used to supply the two center pivots in the E $\frac{1}{2}$ Section 5, T93N, R60W.

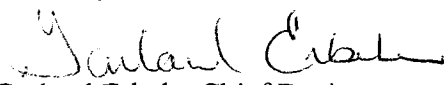
Water Permit No. 6413-3 appropriates 1.78 cfs from one well completed in the Choteau Tyndall Aquifer (approximately 180 – 210 feet deep) located in the approximate center of the NE $\frac{1}{4}$ Section 5 to irrigate 160 acres in the NE $\frac{1}{4}$ Section 5; all in T93N, R60W. The well authorized by Water Right No. 3581-3 has been used for irrigation of this quarter section. The permit has a priority date of April 18, 2003.

Water Right No. 3581-3 appropriates 1.78 cfs from one well completed in the Choteau Tyndall Aquifer and located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5 to irrigate 126 acres in the SE $\frac{1}{4}$ Section 5; all in T93N, R60W. The water right has a priority date of March 24, 1977.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in well location to the approximate center of the NE $\frac{1}{4}$ Section 5, T93N, R60W is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate from the Choteau Tyndall Aquifer is authorized. If the new well is developed into the Niobrara Aquifer instead of the Choteau Tyndall Aquifer, a new water right permit will need to be obtained.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,


Garland Erbele, Chief Engineer
Water Rights Program



3581-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2492-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 3581-3, 6413-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

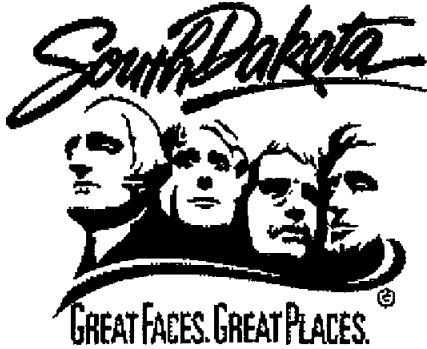
1. Suspend or cancel Permit No(s) 3581-3, 6413-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2492-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

3581-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2014

2492-3
3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right Nos. 2492-3 & 3581-3 and Water Permit No. 6413-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



July 18, 2014

Percy Tjeerdsma
41175 309th Street
Springfield SD 57062

Dear Mr. Tjeerdsma:

Water Right No. 3581-3 held in your name appropriates water from a well to irrigate 126 acres located in the SE 1/4 Section 5, T93N, R60W. The Department of Environment and Natural Resources received a complaint from the Bon Homme County Highway Department regarding end gun overspray from the center pivot on to the roadway. The county provided a picture documenting overspray occurring. It is also our understanding that the sheriff has been in contact with you regarding this matter.

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 roadway. Based on the picture submitted this overspray not only has the potential to damage the roadway but is a safety hazard to citizens traveling on the road. When we talked on the phone you indicated that you are aware of the problem and have had a service man out to work on the end gun stop. Those efforts thus far have been unsuccessful. You committed to again have the service man out to work at getting the stop to function properly. If you can not successfully fix the end gun stop you must take steps to operate the pivot without direct overspray on the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in the Chief Engineer issuing a formal order pursuant to South Dakota Codified Law 46-2A-18 to discontinue the use of water to which the user has no legal right. Failure to comply with the Chief Engineer's Order will result in the Water Rights Program scheduling a hearing before the Water Management Board for further enforcement action. This can result in the suspension of the water right. In addition, a civil fine may be imposed for each violation.

Please contact me at the number below when you have the end gun stop functioning or have adjusted the pivot to prevent overspray. If you have not contacted me by August 4th, the Chief Engineer is prepared to issue an Order to discontinue the unauthorized use of water. This letter will be filed on the administrative record for Water Right No. 3581-3. If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

c: Amanda Larson, Bon Homme County Highway Department, PO Box 4, Tyndall SD 57066

Gronlund, Eric

From: Gronlund, Eric
Sent: Thursday, July 17, 2014 4:52 PM
To: 'bhcohwy@hcinet.net'
Subject: RE: Irrigation pivot documentation

Ms. Larson:

I was forwarded your email regarding irrigation overspray by Mr. Tjeerdsma. In response, Mr. Tjeerdsma was contacted. He acknowledged that overspray was occurring and stated that he has had a serviceman out to work on it but has been unsuccessful getting the end gun stops to function properly. He again committed to have the serviceman out to work on stops.

He was told he is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. That continued overspray can result in the Chief Engineer issuing a formal order to discontinue the use of water. Went on to say that failure to comply will result in enforcement action with possible suspension of the water right and civil fine.

As a practical matter, I explained that this has the potential to damage the road and most importantly can be a hazard to motorists traveling on the road.

You will receive a copy of the letter sent to him that documents DENR's position. This letter along with your email & photo will become part of the record in the administrative record for this water right and lay the basis for further action should it become necessary.

Thank you for bringing this to our attention.

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

From: Bon Homme County Highway Dept [<mailto:bhcohwy@hcinet.net>]
Sent: Thursday, July 17, 2014 8:42 AM
To: Smith, Kim
Subject: Irrigation pivot documentation

Good morning Kim!

Please find attached a picture of one Percy Tjeerdsma, 93N 60W SE 1/4 of Section 5, with overspray from an irrigation pivot documented on July 14, 2014. He has been warned prior to this incident by the local sheriff concerning the overspray.

If you have any questions, please don't hesitate to give Dennis Hovorka, Bon Homme County Highway Superintendent, a call at 464-1129.

Thanks so much and have a wonderful day!

Amanda Larson
Bon Homme County
Highway Department

From: 6054641129@vzwpix.com

Sent: Thursday, July 17, 2014 8:32 AM

To: bhcohwy@hcinet.net



3581-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 3581-3, Percy Tjeersdsma

ADDRESS: COUNTY: Bon Homme County

DATE: July 28, 2014 (8:15 AM) TELEPHONE:

RE: Center Pivot overspray

Mr. Tjeersdsma called to indicate he got his end gun stops fixed and he's continuing to monitor them. He did indicate that there may be some wind drift of spray but it is not direct overspray on the road from the endgun.

He stated there are other center pivots overspraying on roads in the area. I stated our enforcement is complaint driven. I requested that he continue to watch to insure the end gun stops are working properly.

Mr. Tjeersdsma requested that I email the picture submitted by Bon Homme County. I did so to pctjee@gwtc.net.

NAME: Eric Tjeersdsma

3581-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

SEP 10 2018

3581-3
6413-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

Enclosed is Water License No. 6413-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 3581-3 were incorporated into Water License No. 6413-3.