

RECEIVED
3-11-78

8-7-80

①

160' deep well 14" - 25' DS Screen

Aurora Vertical Pump Type 12RL

Serial 3771477

75HP V-Speed Motor

45' N of Center of Pivot

8" Line to Pivot

Pringle & Son of Tulsa, = 150 head gun
w/ Barrels

800 GPM

Water Right Number 3675-3

1. Considered 3-23, 19 77
2. Name of Applicant KENNETH HODGESTRAAT
3. Post Office Address CHANCELLOR
4. Amount of Water claimed .58
5. Source of Water supply 165' WELL (EXISTING)
6. Water to be used for IRRIGATION
- Acres to be irrigated 40
7. Water to be diverted and used in TURNER County
about 2E, 6N miles of HURLEY
8. Proof of Publication Received 3-15-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 3675-3
 Map No. 2949-3 Water Division No. 3 VERMILLION RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Kenneth Hoogestraat
 Postoffice address Chancellor, State S. Dak. 57015
 If a corporation show date and place of incorporation n/a
 2. Method of accomplishing work (contract, employment of others, or by direct labor) contract same will be used
 3. Name of diversion work Amendment to Hoogestraat System #1-add 40 ac. and a well
 If not possible, this will be Kenneth Hoogestraat Irrig. System #3. See Note
 4. Amount of water claimed (cfs) 0.58 (added to Hoogestraat #1 of 1.7- total of 2.28)
 5. Source of water supply well (will use same well as for this system.)
 6. Location of point of diversion SE corner of the NW 1/4 of the NE 1/4 25-99-53

- County Turner
 7. Annual period or periods during which water is to be used April - November
 8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 160 total (add 40 ac. to 120 now in system #1)

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.
Adding the SW 1/4 NE 1/4 25-99-53	40		
to rest of the NE 1/4 25-99-53			
approved earlier as K. Hoogestraat			
Irrig. System #1 - Permit No. 2961-3		Total of 160 ac.	

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriately Water publication Argus Leader, Sioux Falls, SD
 12. Principal Features of the Proposed Water Supply System.

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

Elec. Pump

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

Buried Pipeline to C.P.

C. Works proposed to apply water to beneficial use.

C.P. Sprinkler

* Note:

I would like to add the SW 1/4 NE 1/4 25-99-53 to my first system, which was approved-Permit #2961-3 if possible. I was able to buy this 40 and now have the entire NE 1/4 25-99-53. If this is not possible, this will be K. Hoogestraat Irrig. System #3.

Kenneth Hoogestraat
 Estimated Total Cost \$ 35,000.00

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

STATE OF SOUTH DAKOTA

County of Turner

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

Signed Kenneth Hoogestraat
 Subscribed and sworn to before me this 19 day of Feb. 1977

M. J. Sommerfeld
 Notary Public (or other qualified officer)

M. J. SOMMERFELD
 Notary Public, STATE OF SOUTH DAKOTA
 My Commission Expires February 11, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3675-3
KENNETH HOOGSTRAAT CHANCELLOR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57015 With the following modifications:
 (State)

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

LANDS COVERED UNDER THIS PERMIT ARE ALSO COVERED UNDER PERMIT NO 72-3A. COMBINATIONS OF DIVERSIONS UNDER THE TWO PERMITS SHALL NOT EXCEED THE STATUTORY LIMIT OF 1000 ACR. EACH 70 ACRES.

Date of first receipt of application FEBRUARY 25 19 77
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MARCH 23 19 77, Recorded in Book 18 Page 43

WATER RIGHT PERMIT NO. 3675-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3675-3 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 a plicant may claim right is FEBRUARY 25 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 23 19 78
3. The whole of said work is to be completed on or before MARCH 23 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 81
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 .58 cubic feet per second; neither shall it exceed the capacity of the above described water supply s, or shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 23 19 81; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 20TH day of APRIL 19 77

WATER RIGHTS COMMISSION

By: John A. Adair
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 18", Depth 165' *new well drilled & deepened to 165' first one did not bottom.*

(2) Casing, Type steel (wood, concrete, steel, etc), Diameter 12" Thickness 3/8"

(3) Perforated Screen.
Type Stainless steel, Diameter 12", Length 25'

(4) Gravel Pack. Thickness 1", Length of gravel pack about 50' *R.H.*

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 2' topsoil, 12' yellow till, 6 1/2' blue till, 5' chalk rock, 33' blue till, 1 1/3' water bearing sand and gravel and 1' granite. *5 ft. Vein of chalk rock will be sandstone and no gravel pack above this point. R.H.*

Depth to top of water bearing material 122'

Depth to bottom of water bearing material 165'

Thickness of water bearing material 43'

Depth to water (ground surface to water level) 20'

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

On same owner's property none rds. On property owned by others 90 rds.

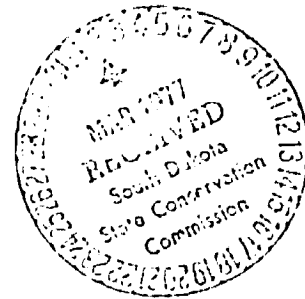
G. Water Storage Dams.

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.

n/a

Kenneth Hoegestadt
Signature of Applicant

February 28, 1977



Mr. Kenneth Hoogestraat
Chancellor, SD 57015

Dear Mr. Hoogestraat:

Your water sample (Lab. No. 77-232) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

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

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

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

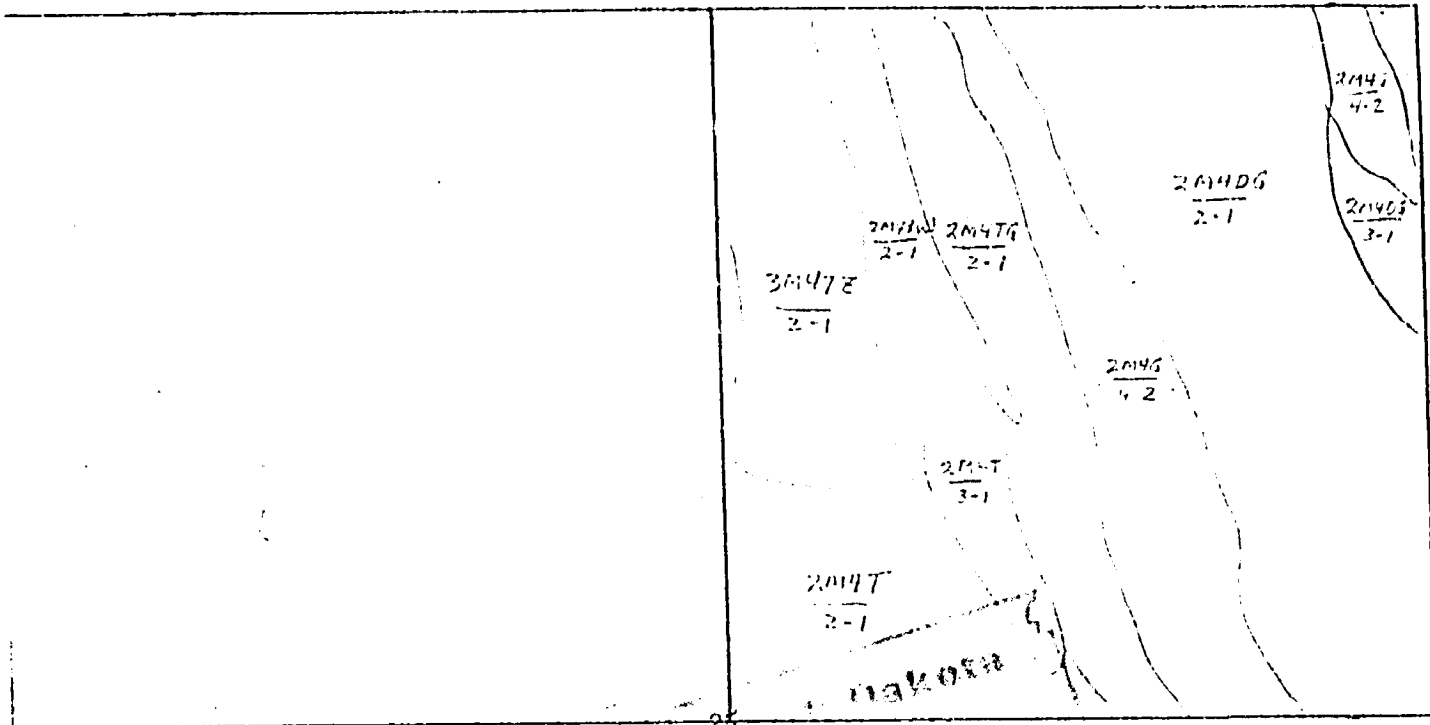
Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
D. Pahl, Extension Service





NARRATIVE and Document
Costs of State Expense

- | | |
|---------------------------------|--|
| <u>2M₁DI</u>
2-1 | - Deep, loamy, well drained soils on nearly level (0-2%) uplands. Few limitations in use. Cap. Unit I2 |
| <u>2M₁TG</u>
2-1 | Same as above. |
| <u>2M₁T</u>
2-1 | - Deep, loamy, well and moderately well drained soils on bottom lands that sometimes receive beneficial overflow. Few limitations in use. Cap. Unit II. |
| <u>2M₁T</u>
3-1 | - Deep, loamy, moderately well and well drained soils on gently sloping (2-6%) uplands and bottomlands that receive beneficial moisture from higher slopes. Cap. Unit IIe1 |
| <u>2M₁G</u>
4-2 | - Deep, loamy, well drained soils on gently undulating (0-2 - 6%) slopes. Cap. Unit IIe2 |
| <u>2M₁Xw1</u>
2-1 | - Deep, loamy, well and moderately well drained soils on bottom lands that sometimes receive beneficial overflow. Cap. Unit II |
| <u>2M₁DI</u>
3-1 | - Deep, loamy, well and drained soils on gently undulating and gently sloping (2-6%) uplands. Cap. Unit IIe3 |
| <u>3M₁7Z</u>
2-1 | - Moderately deep, well drained soils with 20-40" of loamy material over sand and gravel on nearly level (0-2%) upland slopes. Cap. Unit IIIs3 |

CONSERVATION
COMMISSION
FORM W1 #1

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

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

LEGAL DESCRIPTION

1. WELL LOCATION _____
2. LOCATION OF AREA TO BE IRRIGATED The NE $\frac{1}{4}$ 25-99-53

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-232
6. SALINITY (EC X 10⁶) 1802
7. SODIUM (SAR) 2.14
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

Kenneth Hoogestraat
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
18 DAY OF Feb. 19 77

(TITLE OR SEAL)

Alfred J. Hoffmann
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)
M. J. SOMMERVOLD
My Comm. Expires July 11, 1981

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

Submitted by: Kenneth Hoogestraat
 Address: Chancellor, SD 57015

Date Rec'd: February 11, 1977
 Sample No.: 77-232
 Identification: Well-165'
NE 1/4, Sec. 25, T

WATER ANALYSIS

Calcium (Ca)	225	ppm*	11.25	me/l**
Magnesium (Mg)	58	ppm	4.76	me/l
Sodium (Na)	139	ppm	6.05	me/l
Potassium (K)	16	ppm	0.42	me/l
Sulfate (SO ₄)	738	ppm	15.34	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	36	ppm	1.02	me/l
Bicarbonate (HCO ₃)	429	ppm	7.04	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)	352	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1802	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.14			
Sodium	26.92	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	8.00			

Others:
 *ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 22.48 me/l
 Total anions 23.40 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-232

Amount Enclosed \$

Signed

2911-2
REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Ernest Hoogetraat
 Address: Chancellor, SD 57015

Date Rec'd: Aug 30, 1976
 Sample No.: 76-1195
 Identification: 411-381
100, 25, 1.90, 1.53

WATER ANALYSIS

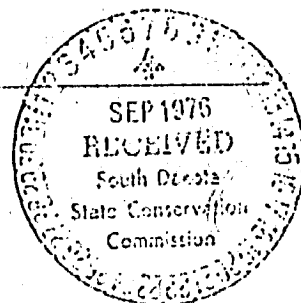
Calcium (Ca)	186	ppm	9.30	me/l**
Magnesium (Mg)	72	ppm	5.80	me/l
Sodium (Na)	19	ppm	0.82	me/l
Potassium (K)	7	ppm	0.28	me/l
Sulfate (SO ₄)	570	ppm	11.96	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.32	me/l
Bicarbonate (HCO ₃)	366	ppm	6.00	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	300	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1253	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.30			
Sodium	5.12	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.36			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 16.21 me/l
 Total anions 18.18 me/l



By: Shirley Eitzen

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	
Sample No. <u>76-1195</u>	Amount Enc. <u>\$8.00</u>

Signed: _____

CONSERVATION
COMMISSION
FORM 1-1-41

2960-3

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



NAME Kenneth Hoggstrand
ADDRESS Chancellor S D 57015
COUNTY Turner

LEGAL DESCRIPTION

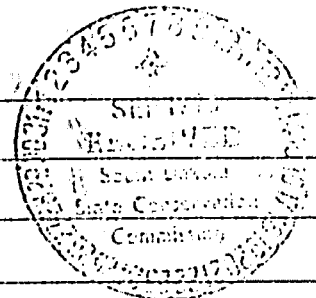
1. WELL LOCATION SW 1/4 NE 1/4 Sec 25 T49 R53
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 NE 1/4 Sec 25 T49 R53

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-1195
6. SALINITY (EC X 10⁶) 1253
7. SODIUM (SAR) 130
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0



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

SUBSCRIBED AND SWORN BEFORE ME THIS
22 DAY OF Aug 19 76

(TITLE OR SEAL)

APPLICANT'S SIGNATURE

APPROVED

NOTARY PUBLIC

(SOILS INFORMATION ON REVERSE SIDE) Notary Public, STATE OF SOUTH DAKOTA
My Commission Expires February 11, 1982

Permit No. 3675-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Kenneth Hoogestraat

_____ the holder _____ of
Permit No. 3675-3, issued upon Application No. 3675-3, bearing date of priority of *February 25, 1977
and August 30, 1976 authorizing the diversion of *2.28 cu. ft. per second of the waters of ground
water (one well) _____ County of Turner, State of South Dakota at a
point 40' north of the center of the NE $\frac{1}{4}$, Section 25-T99N-R53W

_____, for irrigation

purposes, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.77 cu. ft. per second of water.

Date October 2, 1980

* The applicable portions of
water Permit No. 2961-3 and 72-3A
have been incorporated into this
Water License No. 3675-3.
Water License 72-3A has been reduced
to reflect the portions of land
incorporated into this License.

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. * 3675-3

(1) WHEREAS, On the 25th day of February A. D. 1977
Kenneth Hoogestraat

made Water Right Application No. 3675-3 for a permit to use .58 cubic feet per second of the waters
 of groundwater (one well)

County of Turner, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 23rd day of March A. D. 1977
 Permit No. 3675-3, with a date of priority of *February 25, 1977 and August 30, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 23rd day of March A. D. 1979 and for the
 application to beneficial use of said water on or before the 23rd day of March A. D. 1981

* Whereas, on September 24, 1980, the applicable portions of Water Right No. 72-3A and
 Water Permit No. 2961-3 have been incorporated into this Water License No. 3675-3, with
 priority dates of .45 cfs from February 25, 1977 and 1.32 cfs from August 30, 1976,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert 1.77 cubic feet
 per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent,

to irrigate a 136 acre circle in the NE 1/4, Section 25-T99N-R53W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Kenneth Hoogestraat

_____ of Chancellor

the holder _____ and owner _____ of said permit No. 3675-3 a water right, dating from February 25, 1977

August 30, 1976 to use of 1.77 cubic feet per second of the waters of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point 40' north of the center of the NE $\frac{1}{4}$, Section 25-

T99N-R53W

and conducted to and upon _____
a 136 acre circle in the NE $\frac{1}{4}$, Section 25 - T99N - R53W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3675-3 and subject to the laws of the State of South Dakota

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

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

No. 3075-3

Publish first publication, on or before March 10, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 3, 1977

Kenneth Hoogstraet

Notice is hereby given that _____
whose post office address is Chancellor, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
0.00 cubic feet of water per second of time from the ground water through the
Hoogstraet #1, the point of diversion of which is to be located in the _____

SE corner of NW 1/4 NE 1/4

of Section 25, Twp. 29N, Range 50W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:
SW 1/4 NE 1/4, Section 25-T99N-R53W

This application No. 3075-3 will be considered by the Water Rights Commission at their office at
Pierre upon the _____ day of March, 1977, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON-P. JONES JTM VETERION
Water Rights Specialist

BEJ/bw
cc:

Chancellor, Pierre, South Dakota 57501

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

No. 3675-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, JOHN E. KOLI hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the STIOUX FALLS ARCH LEADER

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 STIOUX FALLS

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

Monday March 7, 1977

Monday March 14, 1977

John K. Koli
(Signature)

John K. Koli, Controller
(Title)

March 14, 1977

(Date Signed)

No. 3675-3
NOTICE
INTENT TO
APPROPRIATE WATER
March 3, 1977
Pierre, South Dakota 57501
Notice is hereby given that Kenneth
Hoogstraal whose post office address
is Chancellor, South Dakota, has made
an application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate for
beneficial use 0.58 cubic feet of water
per second of time from ground water
through the Hoogstraal 21, the point
of diversion of which is to be located in
the SE corner of NW 1/4 NE 1/4 of Section
25, Twp. 99N, Range 53W. Said water
to be used for the purpose of providing
irrigation on portions of the following
described land: 3W 1/4 NE 1/4, Section
25 T99N-R53W.
This application No. 3675-3 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 23 day of March, 1977, at 10:00
A.M. All interested persons may ap-
pear and be heard.
WATER RIGHTS
COMMISSION
By: JIM WINTERTON
Water Rights Specialist
March 7, 14, 1977



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7647

PIERRE, August 10, 1920

RECEIVED OF Kenneth Boosestraat, Chancellor SD

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. 3675-3)	5	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 3675-3)		
Fee for Issuing Location Certificate-Dry Draw. No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH,

Permit No. 3675-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by KENNETH HOOGEZAAAT of CHANCELLOR FEBRUARY 25, 1977 holder 57 CFS FROM JANUARY 12, 1977 *
 of Permit No. 3675-3, bearing date of priority of 1.20 CFS FROM AUGUST 30, 1976
 authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in TURNER County.

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

The Water Use System consists of,

A. Works used to divert the water:

160' DEEP WELL WITH 14" STEEL CASING .25' OF SS SCREEN
AURORA 8" VERTILINE PUMP-TYPE 12RL, SERIAL #3771477
POWERED BY 75 HP U.S. ELECTRIC MOTOR

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

40' OF 8" LINE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

PRINGLE 9 TOWER CENTER PIVOT IRRIGATOR WITH
#150 NELSON END GUN WITH BOOSTER PUMP ON END GUN

The system is in the following condition: GOOD

The point of diversion is located 40' N OF THE CENTER OF THE NE⁴
SECTION 25, T99N, R53W

The works are capable of diverting and conveying to the place of use 1.77 (800 G.P.M.)
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 136 ACRE CIRCLE IN THE
NE⁴, SECTION 25, T99N, R53W

comprising a total of 136 acres of land.

* THE APPLICABLE PORTIONS OF PERMIT N^o 72-34 AND
 PERMIT N^o 2461-3 HAVE BEEN INCORPORATED INTO THIS
 WATER LICENSE N^o 3675-3. WATER LICENSE N^o 72-34 HAS
 BEEN REDUCED TO REFLECT THE PORTION INCORPORATED
 INTO THIS LICENSE, ~~WATER LICENSE N^o 72-34 HAS BEEN REDUCED TO REFLECT THE PORTION INCORPORATED INTO THIS LICENSE, ~~WATER LICENSE N^o 72-34 HAS BEEN REDUCED TO REFLECT THE PORTION INCORPORATED INTO THIS LICENSE,~~~~

Date

AUGUST 3, 1980

(Signature)

Burtin [Signature]



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

October 21, 1980

Kenneth Hoogestraat
Chancellor, SD 57015

Dear Mr. Hoogestraat:

Enclosed herewith are, Water License No. 3675-3 and Certificate of Construction.

Water License No. 3675-3 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:bt

enclosures

The applicable portions of
Water Permit No. 2961-3 and
72-3A have been incorporated
into this Water License No. 3675-3.
Water License 72-3A has been
reduced to reflect the portion of
land incorporated into this License.



3675-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

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

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 2962-3 & 3675-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

36.75-3

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

KENNETH HOOGESTRAAT
46117 276TH ST
CHANCELLOR SD 57015

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature Kenneth Hoogstraat ☐ Agent
☐ Addressee

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

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Identification Number
7001 2510 0004 4797 5132



3675-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 4, 2002

2962-3
3675-3

Kenneth Hoogestraat
46117 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

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

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

If you have any questions, please contact me.

Sincerely,

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

Amendment to add 40 ac. to K. Hoogestraat Irrig. System #1-
Kenneth Hoogestraat, Chancellor, S. D. 57015-
Owner.

do
If not possible to it this
way-issue new permit for the
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25-99-53 and call it
K. Hoogestraat #3.

FIRST PERMIT
No-2961-3

R. 53. W.

24 19
25 30

115 Rods 480 W.

11.1

6.0

109.1

3-4

74.6

74.0

49.9

ADD THIS 40 AC.
TO K. HOOGESTRAAT
SYSTEM #1
PERMIT # 2961-3

Total Area To Be Irrigated:

NE $\frac{1}{4}$ 25-99-53 - 160 ac. if added to
K. Hoogestraat #1 or 40 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25-
99-53 if new permit issued for K.
Hoogestraat #3 instead.

T. 99 N.

25

4

115.3

99.53

5.1

27.6

38.9

117.3

38.7

39.2

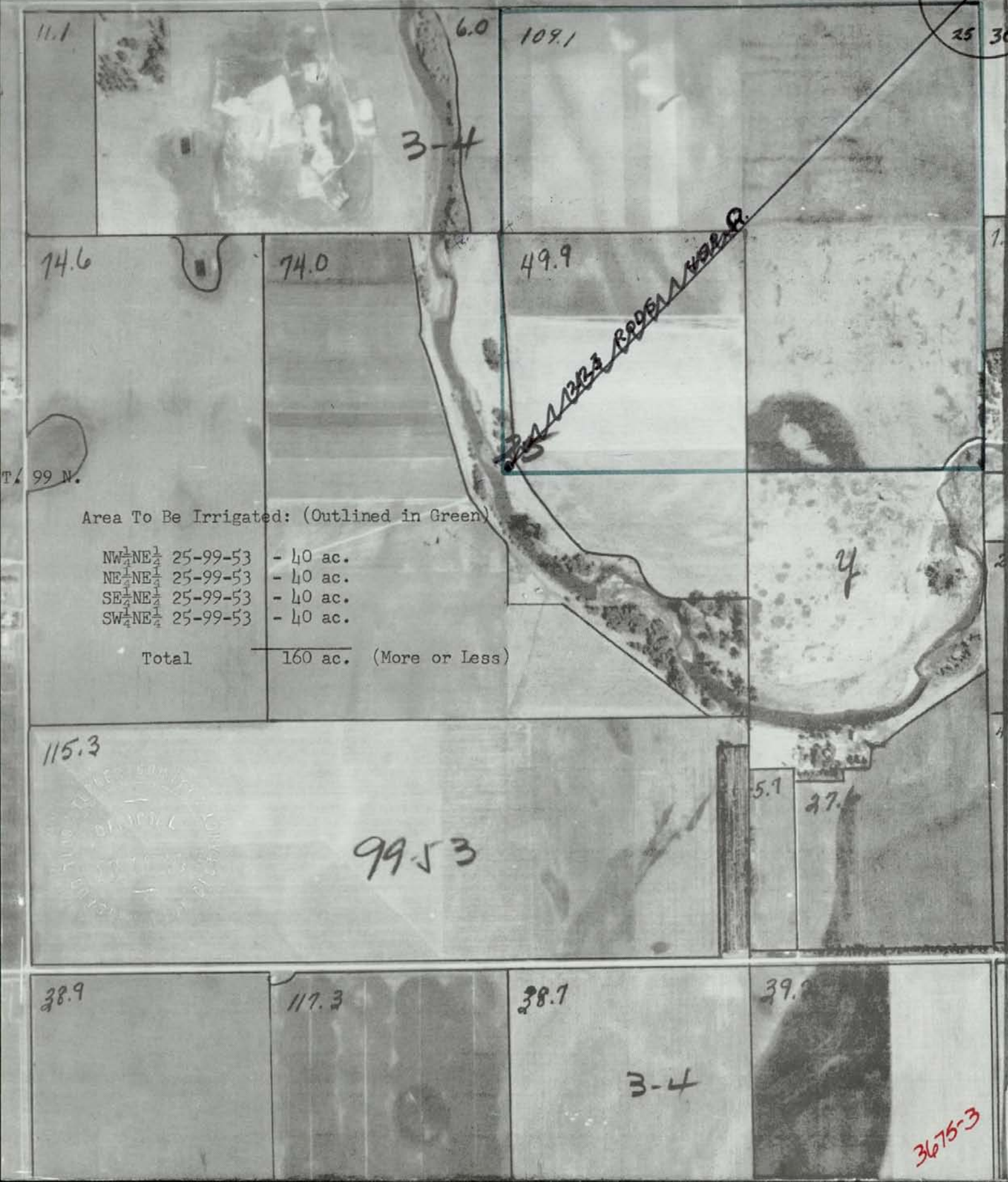
3-4

MAP NO 2944-3 APRIL 30 1953

KENNETH HOOGE STRAAT IRRIGATION SYSTEM #1
Kenneth Hoogestraat, Owner
Chancellor, S. Dak. 57015

R. 53 W.

24 19
25 30



T. 99 N.

Area To Be Irrigated: (Outlined in Green)

NW $\frac{1}{4}$ NE $\frac{1}{4}$	25-99-53	- 40 ac.
NE $\frac{1}{4}$ NE $\frac{1}{4}$	25-99-53	- 40 ac.
SE $\frac{1}{4}$ NE $\frac{1}{4}$	25-99-53	- 40 ac.
SW $\frac{1}{4}$ NE $\frac{1}{4}$	25-99-53	- 40 ac.

Total 160 ac. (More or Less)

NOT TO SCALE





3675-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 4, 2007

2962-3
3675-3

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

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

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

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

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JAN 12 2007

WATER RIGHTS
PROGRAM

No. 3675-3

Date: 1-9-07

I/We request that Water Right No. 3675-3

formerly owned by: Kenneth Hoogestraat

be transferred to: (name & address)

Linda Bartels

Neil Hoogestraat

Bruce Hoogestraat

Dale Hoogestraat

Hoogestraat Farm Partnership

46080 27651 (Neil)

Chancellor SD 57015 Telephone No. 605-647-5620

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

136 acres - NE 1/4 Section 25, T99N, R53W

I/We understand that the validity of Water Right No. 3675-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Hoogestraat Farm Partnership, the new owner, certify that the above information is true and correct.

Neil Hoogestraat

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JANUARY 12, 20 07

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

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

Fee for Application for Permit No. _____ and to put water to beneficial use _____	to Appropriate Water, to construct	2	50
Fee for Application for Permit No. _____	to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____	after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____			
Fee for Filing Transfer Form _____ 3675-3			
Fee for _____			
Fee for Issuing New Well Driller's License No. _____	for C.Y. _____		
Fee for Renewal of Well Driller's License No _____	for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____	for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____	for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50	

No.

2798

By

Darland Ebele

Chief Engineer

gm



January 16, 2007

3675-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

2962-3
3675-3

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

Dear Mr. Hoogestraat:

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

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

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

Sincerely,

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

enclosures: Receipt Nos. 02798 and 02799



3675-3

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 23, 2009

NOTICE

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

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6763-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link: <https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 2009

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

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

Dear Sir:

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

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

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

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

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

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 2962-3 & 3675-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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

3675-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 7996

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 1:06 PM on January 23, 2010 in CHANCELLOR, SD 57015. The item was signed for by N HOOGESTRAAT.

Detailed Results:

- Delivered, January 23, 2010, 1:06 pm, CHANCELLOR, SD 57015
- Out for Delivery or Available at PO Box, January 23, 2010, 8:25 am, CHANCELLOR, SD 57015
- Sorting Complete, January 23, 2010, 7:55 am, CHANCELLOR, SD 57015
- Arrival at Post Office, January 23, 2010, 7:26 am, CHANCELLOR, SD 57015

Notification Options

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FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
9696 2090 0000 0912 EDE2

HOOGESTRAAT FARM PARTNERSHIP
NEIL HOOGESTRAAT
46080 276TH ST
CHANCELLOR SD 57015

Waiver of Signature ☐ YES ☐ NOPostmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

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

(See Reverse)

PS Form 153, May 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2010

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

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

Dear Mr. Hoogestraat:

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

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

If you have any questions, please contact me.

Sincerely,

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

enclosures

c: Kenneth Hoogestraat



3675-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

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

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4748-3 & 6763-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2012

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

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

Dear Mr. Hoogestraat:

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

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

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". 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

enclosures



3675-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:

<http://denr.sd.gov/iq.aspx>

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

3675-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

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

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

Dear Mr. Hoogestraat:

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

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

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

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



3675-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

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

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4748-3 & 6763-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2014

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

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

Dear Mr. Hoogestraat:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit No. 6763-3 and Water Right Nos. 2962-3, 3675-3 and 4748-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

3675-3

DALE L. STRASSER, P.C.

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

Dale L. Strasser
dale@strasserlawoffice.com

Diana L. Randall, Associate
diana@strasserlawoffice.com

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

www.strasserlawoffice.com

RECEIVED

MAR 16 2016

WATER RIGHTS
PROGRAM

March 14, 2016

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

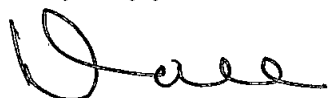
RE: Transfer of Hoogestraat Farms, L.L.C. Real Estate

Dear Sir/Madam:

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

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

Very truly yours,



Dale L. Strasser

DLSgf
Enclosure
cc: Dale Hoogestraat
Linda Bartels

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAR 16 2016

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 3675-3Date: 3-11-2016I/We request that Water Right/Permit No. 3675-3 formerly owned by:Hoogestraat Farms, L.L.C. be transferred to:New Owner Name: Dale L. HoogestraatAddress: 4155 Rosepark DrCity, State, Zip West Linn OR 97068 Telephone No. 503.939.0748

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

NE 1/4 25-99-53
Turner Co. SD

☒ I understand that the validity of Water Right/Permit No. 3675-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Dale L. Hoogestraat, the new owner, certify that the above information is true and correct.

Dale L. Hoogestraat
(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/16, 20 16

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

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3675-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07793**

By *James Holman*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 16, 2016

3675-3

Dale L Hoogestraat
4155 Rosepark Dr
West Linn OR 97068

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 3675-3.

The ownership change has been completed. Water Right No. 3675-3 formerly held by Hoogestraat Farms LLC is now listed in your name.

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

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

Sincerely,

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

enclosure

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