

Water Right Number 4005-3

1. Considered 7-27, 1917

2. Name of Applicant MAYNARD & VERA VESPER

3. Post Office Address WAGNER

4. Amount of water claimed 4.0

5. Source of water supply 300' DEEP WELL

6. Water to be used for IRRIGATION

Acres to be irrigated 420

7. Water to be diverted and used in CHAS MIX County

about 5N, 2E Miles 1ST of WAGNER

8. Proof of Publication

Received 1ST 7-27-77

Not received _____

9. Application

Approved 3-28-77

Subject to WI

Not approved _____

Action deferred _____

10. Remarks:

No. 4005-3Map No. 3249-3 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 Maynard and Vera Vesper
Postoffice address Wagner State South Dakota 57380
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Vesper
4. Amount of water claimed (cubic feet per second) 6 4.0
5. Source of water supply Well
6. Location of point of diversion Center of SW 1/4 Sec. 10-96-63
Center of SE 1/4 SW 1/4, Section 10, T96N, R. 63W.
County Charles Mix
7. Annual period or periods during which water is to be used Irrigation Season
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____
9. For irrigation use, _____ Total number of acres to be irrigated 420

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 1/4 Sec. 10-96-63	160	SW 1/4 NE 1/4 Sec. 10-96-63	60
N 1/2 SW 1/4 Sec. 11-96-63	80		
N 1/2 S 1/2 SW 1/4 Sec. 11-96-63	40		
S 1/2 NW 1/4 Sec. 11-96-63	80		

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 Appropriate Water publication Wagner Post
12. Principal Features of the Proposed Water Supply System:

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

Well

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

Buried pvc pipe

C. Works proposed to apply water to beneficial use.

Center pivotEstimated Total Cost \$ 50,000Attachments: 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 Charles Mix)

I, _____ 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 Maynard Vesper, Vera VesperSubscribed and sworn to before me this 20 day of August 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4005-3
MAYNARD & VERA VESPER WAGNER
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57380 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 23 19 76
 Date of return to applicant for correction, amendments or changes required _____ 19 _____
 Date of receipt of corrected application JUNE 21 19 77
 Approved MARCH 28 19 79 Recorded in Book 20 Page 255

WATER RIGHT PERMIT NO. 4005-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4005-3 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 JUNE 21 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 28 19 80
3. The whole of said work is to be completed on or before MARCH 29 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28 19 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 4.0 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 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28 19 79; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 6th day of APRIL 19 79

WATER RIGHTS COMMISSION

By: John Kates
 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 24", Depth 300'

(2) Casing, Type plastic Diameter 24" Thickness to be determined
(wood, concrete, steel, etc)

(3) **Perforated Screen.**

Type to be determined, Diameter 24", Length to be determined

(4) Gravel Pack. Thickness _____, Length of gravel pack to be determined

! **Layout Information or Estimates**

(1) Surface dimensions _____, Depth _____

1 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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material. _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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.

Tim Leazer
Maynard Leazer
Signature of Applicant

CONSERVATION
COMMISSION
WI #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 WELL IRRIGATION ONLY)

FOR COMMISSION USE ONLY

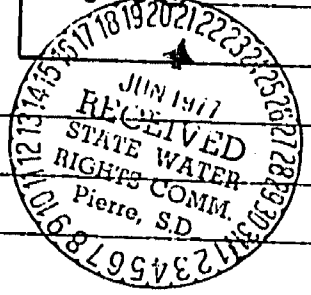
IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED: *Alfred J. Wagner*

RECORDED



NAME MAYNARD C. VESPER
ADDRESS WAGNER, S.D. 57380
COUNTY CHARLES MIX

LEGAL DESCRIPTION

1. WELL LOCATION Center of SE 1/4 Sec 10 - 96-63
2. AREA TO BE IRRIGATED SE 1/4 10-96-63, S 1/2 NE 1/4 10-60A,
N 1/4 SW 1/4 11-96-63, S 1/2 NW 1/4 11, 96-63

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Center Pivot
4. CROPS TO BE IRRIGATED Corn, ~~soy~~ Milo, wheat, barley,
alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE Sec 10 - most 2-6% slope Highmoor, Eakin, Zola -
Sec. 11 - most 2-6% slope Highmoor, Eakin - few areas of Eakin - low
grade below (detention)
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION Highmoor & Eakin = good potential.
Eakin fair potential because of high lime near surface - special fertilizing treatment
required for max. yields. ~~detention~~ (detention in S 1/4 11 could cause land salinity problem).

WATER QUALITY

(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 77-548
8. SALINITY 1637 (high)
9. SODIUM 4.98 (medium)

I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:

THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

the soil Service at Lake Andrus

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Maynard Clasper

SUBSCRIBED AND SWORN BEFORE ME THIS

2 DAY OF May 1977.

D. F. Kotab

D. F. KOTAB, NOTARY PUBLIC
My Commission Expires March 13, 1984

(TITLE)

#57



May 4, 1977

Mr. Maynard C. Vesper
Wagner, SD 57380

Dear Mr. Vesper:

Your water sample (Lab. No. 77-548) 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. Fino

L. O. Fino
Water Quality Lab

LOP:ckb
Enclosures

cc: State Conservation Commission
D. Pahl, Extension Service

P.S. You may have to use gypsum in future years to counter-act the sodium in this water. Also you may have to go to alternate year irrigation, or 1 out of 3 years.

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

4005-3

Submitted by: Maynard Vesper
 Address: Wagner, SD 57380

Date Rec'd April 8, 1977
 Sample No. 77-548
 Identification _____

WATER ANALYSIS

Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	26	ppm	2.13	me/l
Sodium (Na)	231	ppm	10.05	me/l
Potassium (K)	26	ppm	0.68	me/l
Sulfate (SO ₄)	530	ppm	11.02	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	45	ppm	1.26	me/l
Bicarbonate (HCO ₃)	329	ppm	5.40	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)	270	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1637	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	4.98			
Sodium	53.28	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.45			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 18.86 me/l
 Total anions 17.68 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. 77-548

Amount Enclosed \$ _____

Signed _____

Publish first publication, on or before July 14, 1977NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 23, 1977

Notice is hereby given that Maynard & Vera Vesper whose
post office address is Wagner, South Dakota, has made an application
in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11,
46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, ~~Future Use 46-5-36,~~
~~Temporary Permit 46-5-39, 46-5-40, Ground Water~~ 46-6-3, 46-6-5, 46-6-6.1, 46-6-10,
46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, ~~Future Use 52:01:01:21~~
~~thru 52:01:01:24~~, for a permit to appropriate for beneficial use 4.0 cubic feet
of water per second of time from ~~the~~ ground water through
the Vesper # 1, the point of diversion of which is
to be located in the center of the SE $\frac{1}{4}$

of Section 10, Twp. 96N, Range 63W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 10; N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 11;

T96N, R63W

This Application No. 4005-3 will be considered by the Water Rights Commission
the Staurolie Inn, Brookings, SD

at ~~their office at Pierre~~ upon the 27th day of July, 1977, at 10 A.M. The
Commission is authorized to make a determination on this application at the hearing.
All interested persons may appear and be heard. Any person who may be affected by
a Commission decision who desires to present evidence or cross-examine witnesses
according to SDCL 1-26 may notify the Commission in writing prior to the hearing or
orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERION

Water Rights Specialist

cc: Maynard & Vera Vesper, Wagner, SD 57300

Public Notice

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
June 23, 1977

Notice is hereby given that Maynard and Vera Vesper whose post office address is Wagner, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-2 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-8.1, 46-6-10, 46-6-14, and Commission Rules ARSD 52-01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 4.0 cubic feet of water per second of time from ground water through the Vesper #1, the point of diversion of which is to be located in the center of the SE 1/4 of Section 10, Twp. 96N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE 1/4, S 1/4 NE 1/4, Section 10; N 1/4 SW 1/4, N 1/4 S 1/4 SW 1/4, S 1/4 NW 1/4, Section 11; T96N, R63W.

This Application No. 4005-3 will be considered by the Water Rights Commission at the Staurolite Inn, Brookings, SD upon the 27th day of July, 1977, at 10 a.m. The Commission is authorized to make a determination on this application at the hearing. All interested persons

may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION, James Winterton, Water Rights Specialist

Pub. July 7-14, 1977

Affidavit of Publication

STATE OF SOUTH DAKOTA)

SS

COUNTY OF CHARLES MIX)

John Faughender, of said County and State being first duly sworn on his oath says: That The Wagner Post is a legal newspaper of general circulation, printed and published in Wagner, in said County and State, by John Faughender, and has been such newspaper during the time herein mentioned; and that I, John Faughender, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed—

*Notice of hearing
on application to
appropriate water*

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for 2 successive weeks.

1st publication made on 7 day of July, 19 77
2nd publication made on 14 day of July, 19 77
3rd publication made on _____ day of _____, 19 ____
4th publication made on _____ day of _____, 19 ____
5th publication made on _____ day of _____, 19 ____
6th publication made on _____ day of _____, 19 ____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Charles Mix for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Wagner, South Dakota, the place of publication of said newspaper. That the full amount of the fee for the publication of the annexed notice is \$ 17.23

John Faughender

Subscribed and sworn to before me this 14 day of July, 19 77

Harold R. Faughender

Notary Public

Charles Mix County, South Dakota

My commission expires 2/5/83

REPORT ON THE CHARLES MIX - DOUGLAS COUNTY AREAS

March 23, 1978

During the March 1977 Water Rights Commission meeting some of the deferred applications in the Lake Andes - Wagner area were reconsidered. At that time, 6 applications from the Choteau aquifer and 7 from the Delmont aquifer were approved. The Water Rights Commission Staff has not followed up on these applications and it is not known which are developed or how much pumping has been done.

Listing of Deferred Applications

CHARLES MIX COUNTY

2310-3 Richard Soulek
2323-3 Dale Meyer
3696-3 John D. Orr
3697-3 Dean Weber
3698-3 Rolland B. Vanderpol
3700-3 Holzbauer Bros.
3701-3 Marlin Laska
3704-3 Edward E. Weber
3705-3 Greenwood Colony
3706-3 Holzbauer Bros.
3736-3 Holzbauer Bros.
3750-3 Gary Hrdlicka
4004-3 Wilbur and Eugene Slaba
4005-3 Maynard & Vera Vesper
4198-3 Joe Holzbauer

DOUGLAS COUNTY

2283-3 Ted Reinfeld
3699-3 Joe L. Sanders
3702-3 Clarence Ewing
3703-3 Clarence Ewing
3708-3 Donald Schmidt
4059-3 Eltor Brenner

The Water Rights Commission Staff is concerned about the water levels in the Choteau aquifer. At this time the water levels are 8-10 feet below what is considered normal. The Delmont aquifer is 3-4 feet below normal and should recharge this spring with normal snowmelt. The Water Rights Commission Staff is recommending no action on these applications at this time.

JOHN HATCH, Chief Engineer
Water Rights Commission

CHARLES MIX & DOUGLAS COUNTIES



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

March 23, 1978

TO: Persons with deferred applications in Charles Mix & Douglas Counties.

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of deferred applications in Charles Mix & Douglas Counties.

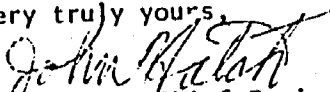
The Water Rights Commission will reconsider Water Right Applications in Charles Mix & Douglas Counties at 10:30 am, March 29, 1978 at the Guest House, 101 North Broadway, Watertown, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, Ground Water 46-6-3, 46-6-5, 46-6-6, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

The applications were deferred by the Water Rights Commission, pending Staff Investigation.

After reconsideration of the deferred Applications in Charles Mix & Douglas Counties the Commission can approve, defer, or deny all or parts of the Applications. A copy of the "Report on the Charles Mix - Douglas County Areas" is enclosed for your information.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

enclosure

4005-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

March 14, 1979

TO: Holders of Deferred Applications in Charles Mix and Douglas Counties
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Water Right Applications in Charles Mix and Douglas Counties at 3:30 p.m., March 28, 1979, at the Community Room of the Pierre City Hall, 222 East Dakota Ave, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were previously deferred by the Water Rights Commission, pending Staff investigation.

After reconsideration of the deferred Applications the Commission can approve, conditionally approve, defer, or deny all or part of the Application.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

Maynard Vesper. 406 5-3

Could not find water
in Center moved it
South $\frac{1}{4}$ mile, 350' N
of SE 4. This new
well is farther away
from existing wells
than original. Sold him
as long as on same quarter
as advertised is O. K.



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4005-3

April 17, 1985

Vesper Farms
%Rick Jongewaard
RR #1, Box 88
Wagner SD 57380

Dear Mr. Jongewaard:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

Second Notice

Permit No. 4005-3

July 23, 1985

Vesper Farms
% Rick Jongewaard
RR 1, Box 98
Wagner, SD 57380

Dear Mr. Jongewaard:

On July 8, 1985 notice was sent to you concerning the transfer of Water Permit No. 4005-3 in the name of Waynard Vesper which covers irrigation of 420 acres in portions of sections 10 and 11 of T96N, R63W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, 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 us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S509.WR

 **Department of
Water & Natural Resources**

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

Third Notice

March 3, 1986

Permit No. 4005-3

Vesper Farms
Rick Jongewaard
RR 1, Box 88
Wagner, South Dakota 57380

Dear Mr. Jongewaard:

On April 17, 1985 and July 23, 1985 notice was sent to you concerning the transfer of Water Permit No. 4005-3 in the name of Maynard Vesper which covers irrigation of 420 acres in portions of Sections 10 & 11, T96N, R63W. To date, we have not heard from you on this matter.

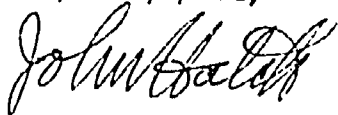
A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. The first notice sent to you made reference to South Dakota Water Law 46-5-30.3 which 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.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the permit. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

If you have any questions, please contact us.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

PS Form 3811, Dec. 1980

• SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered ¢

☐ Show to whom, date, and address of delivery.. ¢

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.) ¢

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
Vesper Farms
c/c Rick Jongewaard
RR 1 Box 88 Wagner, SD 57380

4. **TYPE OF SERVICE:**

☐ REGISTERED	☐ INSURED
☒ CERTIFIED	☐ COD
☐ EXPRESS MAIL	

ARTICLE NUMBER
P 535 724 466

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Rick Jongewaard

5. **DATE OF DELIVERY**
3-7-82

POSTMARK

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**
[Signature]

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Conversation or File Documentation

NAME OF PERSON OR FILE:

Richard & Julie Jongeward

ADDRESS:

RR #1 Box 88, Wagner SD COUNTY

DATE:

Oct 16, 1986

TELEPHONE

384-3847

RE:

Status of transfer

COMMENTS:

I called to find out if permit should be left under Maynard & Vera Vesper or transferred to Vesper Farms. They had not responded to 3 notices sent to them requesting transfer.

Julie Vesper stated Maynard & Vera Vesper have passed away but the permit should be left in their names for now. Irrigation Questionnaire ^{can be} sent to Jongeward's.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME:

Henry McMath

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 23, 1987

RICHARD/JULIE JONGEWAARD--OP
RR 1 BOX 88
WAGNER, SD 57380

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

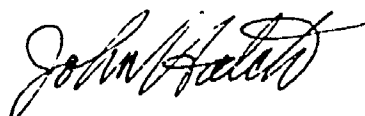
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4005-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 4005-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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


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

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

 **Department of
Water & Natural Resources**

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

May 11, 1987

4005-3

Richard Jongewaard
RR #1 Box 88
Wagner, SD 57380

Dear Mr. Jongewaard:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 4005-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Your questionnaire was received prior to the May 6, 1987 Water Management Board Meeting and was no longer considered to be in violation. Your name was deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

 **Department of
Water & Natural Resources**

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

January 29, 1988

RICHARD/JULIE JONGEWAARD-OP
RR 1 BOX 88
WAGNER, SD 57380

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

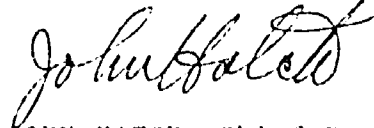
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4005-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 4005-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

cc: Maynard & Vera Vesper, Wagner, SD 57380

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

**Department of
Water & Natural Resources**

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

February 29, 1988

4005-3

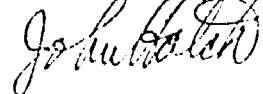
Richard & Julie Jongewaard
RR 1, Box 88
Wagner SD 57380

Dear Mr. Jongewaard:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4005-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



Department of Water & Natural Resources

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

February 8, 1989

RICHARD/JULIE JONGEWAARD-OP
RR 1 BOX 88
WAGNER, SD 57380

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Amend Permit No(s). 4005-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
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 before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

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



 **Department of
Water & Natural Resources**

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

February 23, 1989

4005-3

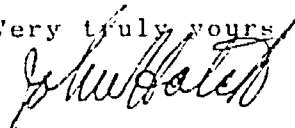
Richard & Julie Jongewaard
RR #1 Box 88
Wagner, SD 57380

Dear Mr. & Mrs. Jongewaard:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 4005-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 9, 1990

RICHARD/JULIE JONGEWAARD-OP
RR 1 BOX 88
WAGNER, SD 57380

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4005-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LeCrosse, Rapid City SD.

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

1. Amend Permit No(s). 4005-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

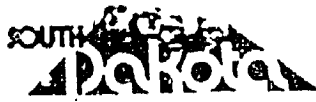
The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided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

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



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



Department of Water & Natural Resources

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

February 23, 1990

4005-3

Richard & Julie Jongewaard, Op
RR 1, Box 88
Wagner SD 57380

Dear Mr. & Mrs. Jongewaard:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 4005-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

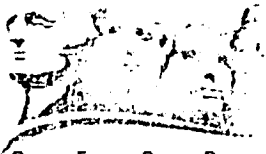
If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, KS

RON DUVALL
Natural Resources Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

4005-3

February 1, 1991

RICHARD/JULIE JONGEWAARD-OP
RR 1 BOX 88
WAGNER SD 57380

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Amend Permit No(s) 4005-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

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

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

3. Article Addressed to:

RICHARD/JULIE JONGEWAARD-OP
 RR 1 BOX 88
 WAGNER SD 57380

4. Article Number

P 694 057 324

Type of Service:

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

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Addressee's Address (ONLY if required and fee paid)

5. Signature of Addressee

X *Richard Jongewaard*

6. Signature - Agent

X

7. Date of Delivery

2-4-91

PS Form 3811, Apr. 1986

U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 13, 1991

4005-3

Richard & Julie Jongewaard
RR #1 Box 88
Wagner, SD 57380

Dear Mr. & Mrs. Jongewaard:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Permit No. 4005-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



4005-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER SD 57380

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 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 3, 1993, 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) 4005-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

ed 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:

4005-3

4a. Article Number

PA06 560 029

RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER SD 57380

4b. Service Type

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

7. Date of Delivery

2-1-93

5. Signature (Addressee)

6. Signature (Agent)

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

Is your RETURN?

PS Form 3811, December 1991 U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

4005-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 1993

4005-3

Richard & Julie Jongewaard
RR #1 Box 88
Wagner, SD 57380

Dear Mr. & Mrs. Jongewaard:

I am writing to acknowledge receipt of the information needed for your 1992 irrigation questionnaire for Water Permit No. 4005-3. The questionnaire was completed following our February 26th telephone conversation. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaire was completed prior to the Water Management Board meeting, your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

4005-3

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 4005-3

Date: May 18 1994

I/We request that Water Permit No. 4005-3

formerly owned by: Maynard and Vera Vesper

be transferred to: (name & address) Richard & Julie Imquenaar

RR1 Box 88 Wagon, NDak 57380 (Telephone No) 605-384-3847

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

SE 1/4 Section 10-T96N-R63W

I/We understand that the validity of Water Permit No. 4005-3 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 at the Division of Water Rights, 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 Chadron)

I/We Richard Imquenaar 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.

Richard Imquenaar
(Signed)

Subscribed and sworn to before me this 18 day of May, 1994.

[Signature]
(Notary Public)

NOTE: Water permits may be cancelled 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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4005-3
414106

Pierre, _____ March 23, 19 94

RECEIVED OF Richard/Julie Jongewaard, RR 1 Box 88, Wagner, SD 57580-9750

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 <u>Water Permit No. 4005-5</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch/gmk
Chief Engineer



4005-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 24, 1994

No. 4005-3

Richard and Julie Jongewaard
RR 1, Box 88
Wagner, SD 57380-9750

Dear Mr. and Ms. Jongewaard:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4005-3.

Our records now show you as the owner of Water Permit No. 4005-3.

Sincerely,

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

enclosure



455-23

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER SD 57380

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 4005-3. 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 4005-3 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: **4005-3**

RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER, SD 57380

4a. Article Number

P837692722

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-8-95

5. Signature (Addressee)

6. Signature (Agent)

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

4005-3



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

February 10, 1995

4005-3

Richard & Julie Jongewaard
RR #1 Box 88
Wagner, SD 57380

Dear Mr. & Mrs. Jongewaard:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. The questionnaire was completed for you following our telephone conversation of February 8, 1995. 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

CHOTEN WEST
OQUIPES

4005-3

MURON DRILLING INC. DRILLERS 28

PAGE NO.

Waynard Vesper

4643-Charles
Mix County
LOCATION

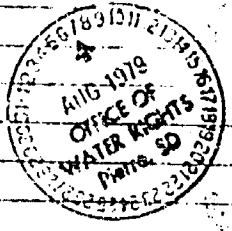
6/25/79

DATE

RIG NO

FOREMAN

DEPTH	TIME	Irrigation well		REMARKS
0-10		0-5		Topsoil
		5-10		Yellow clay
10-20		10-20		Yellow clay
20-30		20-30		Blue clay
30-40		30-40		Blue clay, gravel traces
40-50		40-50		Blue clay
50-60		50-60		Blue clay and rocks
60-70		60-70		Blue clay
70-80		70-80		Blue clay and rocks
80-90		80-90		Blue clay and rocks
90-100		90-100		Blue clay, sand traces
100-110		100-110		Blue clay and rocks
110-120		110-120		Blue clay, sand traces
120-130		120-130		Blue clay and rocks
130-140		130-140		Blue clay and rocks
140-150		140-150		Blue clay
150-160		150-158		Blue clay and rocks
		158-160		Good sand
160-170		160-170		Fine & medium sand, clay traces
170-180		170-180		Fine medium sand
180-190		180-190		Fine-medium sand, clay breaks 6"-1'
190-200		190-200		Fine-medium sand
200-210		200-210		Fine-medium sand and coal
210-220		210-220		Fine sand and coal traces
220-230		220-221		Clay break
		221-230		Fine medium sand
230-240		230-240		Fine sand and coal-clay breaks
	240 TD			



WELL REPORT

Charles Mix County

MURON DRILLING CO.
Dillon, S.D.

Waynard Vesper

6-25-79

July 2, 1979

DESCRIPTION

DATE

CASING LOG

Depth	240	ft.	160	16" PWD Plastic	160	ft.
Flows	open		80	16" PWD Plastic	240	ft.
Pumps	open			16" PWD Plastic		ft.
Hood	ft.			16" PWD Plastic		ft.
80 Ft. Slotted & bottom				16" PWD Plastic		ft.
				16" PWD Plastic		ft.

Permit No. 4005-3
Missouri River - Water District

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

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

I have this day made a thorough examination of the water use system constructed by Maynard & Vera Vesper of Wagner, SD holders of Permit No. 4005-3, bearing the priority of June 21, 1977 authorizing the diversion of 4.0 cu. ft. of water per second from groundwater for irrigation purposes, in Charles Mix County.

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

A. Works used to divert the water:

WELL INFORMATION:

Casing:

- 1) Diameter 16 inches
- 2) Length 160 feet
- 3) Type PVC

Pump:

- 1) Make Aurora
- 2) Model 480-70313
- 3) Capacity 1250 GPM

Screen:

- 1) Type PVC
- 2) Length 80 feet
- 3) Static water level 160 feet

Motor:

- 1) Make US Electrical
- 2) Frame No. 404 TP
- 3) Horsepower rating 100 h.p

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

DISTRIBUTION LINE:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1550 feet

C. Works used to apply water to beneficial use:

SYSTEM TYPE:

Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1320 feet
- 3) Number of towers 8
- 4) Distance between towers 165 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 1250 GPM

The system is in the following condition good. The point of diversion is located 350 feet N of the SE corner of Section 10 T98N-R63W (SE 1/4 SE 1/4). The works are capable of diverting and

conveying to the place of use 2.77 cu. ft. of water per second which is to be used for irrigation.
Water has been put to beneficial use to the maximum extent as follows:

T06N-R63W

SECTION 10

NW 1/4 SE 1/4 31 acres

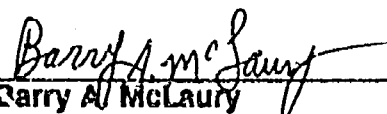
NE 1/4 SE 1/4 31 acres

SW 1/4 SE 1/4 31 acres

SE 1/4 SE 1/4 31 acres

comprising a total of 136 acres of land and the license should be issued for 1.94 cfs.
Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: June 28, 1993


Barry A. McLaury
Natural Resources Analyst
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4005-3

DATE: June 28, 1993

Other permit(s) associated with the project: None

DIVERSION POINT LEGAL LOCATION: 350 feet N of the SE corner of Section 10 T96N-R63W (SE¼ SE¼).

WELL INFORMATION:

- 1) Well Driller: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 240 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 160 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 80 feet
- 3) Static water level 160 feet

Pump:

- 1) Make Aurora
- 2) Model 480-70313
- 3) Capacity 1250 GPM

Motor:

- 1) Make US Electrical
- 2) Frame No. 404 TP
- 3) Horsepower rating 100 hp

DISTRIBUTION LINE:

- 1) Type PVC 2) Size 8 inches
- 3) Length 1550 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1320 feet
- 3) Number of towers 8
- 4) Distance between towers 165 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 1250 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 24, 1993

Richard Jongewaard
RR 1, Box 88
Wagner, SD 57380

Dear Mr. Jongewaard:

After an inspection of Water Permit No. 4005-3 on June 28, 1993 (currently held by Maynard and Vera Vesper), I found a problem with the location of the diversion point authorized by this permit.

The enclosed application is to correct the location of the diversion point in the SE $\frac{1}{4}$ of Section 10 T96N-R63W. The well was originally described as being in the center of the SE $\frac{1}{4}$. An inspection of Water Permit No. 4005-3 found the well to be located approximately 300 feet North of the SE corner of Section 10.

Please fill out question no. 1, 6, 9 and the bottom of the enclosed application. Note that the application must be signed in the presence of a Notary Public. Please return the application with an application fee of \$50.00 in the self addressed envelope provided.

If you have any questions, feel free to contact me at 605-773-3352.

Sincerely,

Barry A. McLaury
Natural Resources Analyst
Water Rights Division
605-773-3352

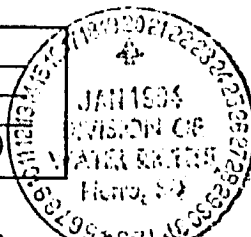
enclosure

FORM 2: Application for Irrigation in South Dakota
(type or print)

B.A.M.

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
505 773-3352

No. _____ Hydrologic Unit _____
Basin _____
Newspaper _____
(office use only)



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

Type of Application: _____ New _____ Vested Right X Amendment/Correction to Permit No. 4005-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)
Correct the location of the Diversion Point

- Name of Applicant Richard Mayhew Phone 605-384-3847
(check one) X Owner _____ Tenant/lessee _____
Mailing Address 1011 North 10th Avenue State SD
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed NO Add'l *CFS or _____ **GPM _____ ***AF _____ Total Acreage NO Add'l
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Ground Water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well - located in the SE4 SE4 Section 10 T96N-R63W.
- County Charles Mix
- County or counties where water will be used Charles Mix
- Annual period during which water is to be used _____
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres
NW1/4 SE4 T96N-R63W Section 10	34
NE1/4 SE4 " " "	34
SW1/4 SE4 " " "	34
SE4 SE4 " " "	34

Land Description	Acres

Land Description	Acres

Land Description	Acres

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other (Specify): _____
- Crops to be irrigated: _____
- Give a description of the project. (Attach sheet if more space is needed)

This application proposes to correct the location of the well which was incorrectly described under water permit no. 4005-3. The well was described as being in the center of the SE4 Section 10 T96N-R63W. The actual location of the well is 350 feet North of the SE Corner of Section 10 T96N-R63W.

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

STATE OF SOUTH DAKOTA)

County of Charles Mix)^{ss}

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

Signed Richard Mayhew
Subscribed and sworn to before me this 22 day of February 19 94
Notary Public



February 2, 1994

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

Richard Jongewaard
RR 1, Box 88
Wagner SD 57380

Dear Mr. Jongewaard:

We have received your Application for Permit to correct the location of the diversion point authorized by Water Permit No. 4005-3, based on an inspection conducted June 28, 1993, by Barry McLaury of this office. After public notice has been given and this application is approved, the Water License can be issued incorporating Water Permit No. 4005-3 and this application. The two permits can not be incorporated until they are both listed in the same name(s). It is my understanding that Maynard and Vera Vesper are deceased. Water Permit No. 4005-3 must be transferred to the current owner of the land, the operator of the system or to an estate. Enclosed is an "Notice of Transfer" form for Water Permit No. 4005-3. This form must be completed, signed, notarized and returned with a \$2.50 filing fee.

We will proceed with processing the application to correct the diversion point location which was filed in your name. If you want the name changed on the pending application or want "operator" added after your name, please let us know and the change can be made. Any changes in the name after the application has been approved, will require a Notice of Transfer.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure

File No. 4005-3

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Richard & Julie Jongewaard

ADDRESS: RR 1, Box 88, Wagner SD 57380 COUNTY: Charles Mix

DATE: 7-22-94 TELEPHONE:

RE: S/W Compatibility Approval

COMMENTS:

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

Based on a staff inspection in 1993, an application and fee was submitted to change the location of the diversion point. The 1994 Legislature passed legislation allowing diversion points to be changed or additional diversion points under certain circumstances. The \$50 application fee will be applied toward the license fee requirement.


Karen Schlaak
Environmental Scientist

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM**

DATE: July 27, 1995

RE: Change in location of diversion point for Water Permit No. 4005-3, Richard Jongewaard.

An inspection of Permit No. 4005-3 found the diversion point in a location not authorized by the permit. SDCL 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.

Water Permit No. 4005-3, approved in 1979, appropriates 4.00 cubic feet of water per second (cfs) from groundwater to irrigate 420 acres. The acres to be irrigated were to be located in the S1/2 NE1/4 and SE1/4 of Section 10; the SW1/4 and S1/2 NW1/4 of Section 11; all in T96N R63W. The diversion point was to be located in the center of the SE1/4 of Section 10. An inspection of Water Permit No. 4005-3 found the works capable of diverting 1.94 cfs from one well (Choteau West Aquifer) located in the SE1/4 SE1/4 of Section 10 to irrigate 136 acres located in the SW1/4 of Section 10; all in T96N R63W.

A review of existing diversions within a one mile radius of Section 10 was conducted based on Water Rights Program records. This review indicates that this well location change does not change the impact potential to existing diversions from the

Choteau West Aquifer. The diversion point has been in operation at the described location for several years with no known complaint.



Barry A. McLaury
Environmental Scientist
Water Rights Program

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding "does not increase the potential for interference" is interpreted to mean potential for adverse interference. Water Permit No. 4005-3 may be licensed without requiring an application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for a change of diversion point.

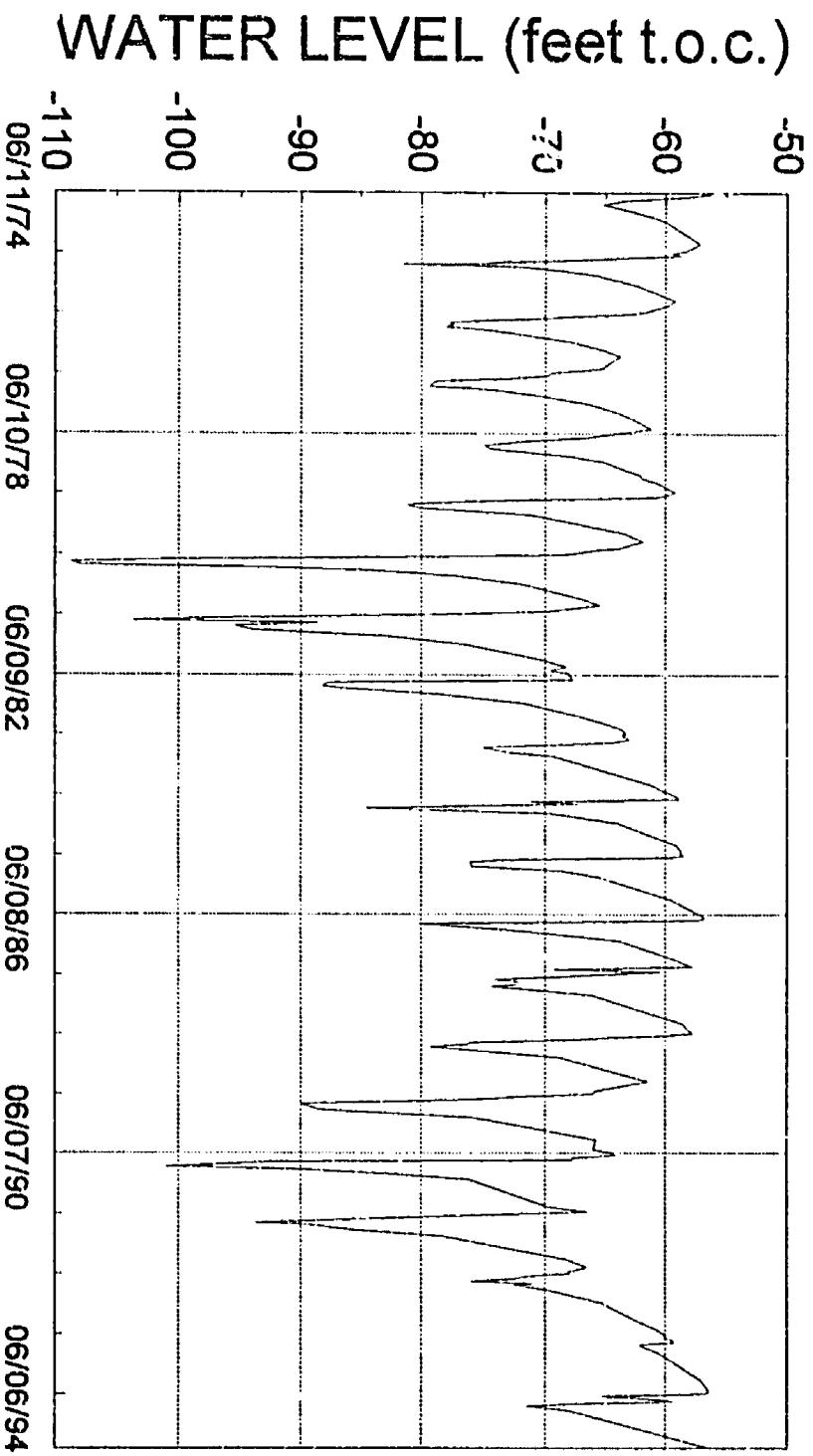
Approved by:



John Hatch, Chief Engineer
Water Rights Program

WATER RIGHTS OBSERVATION WELL

CM-72B



4005-3
Richard Songewaard

Form No. 58.0102C

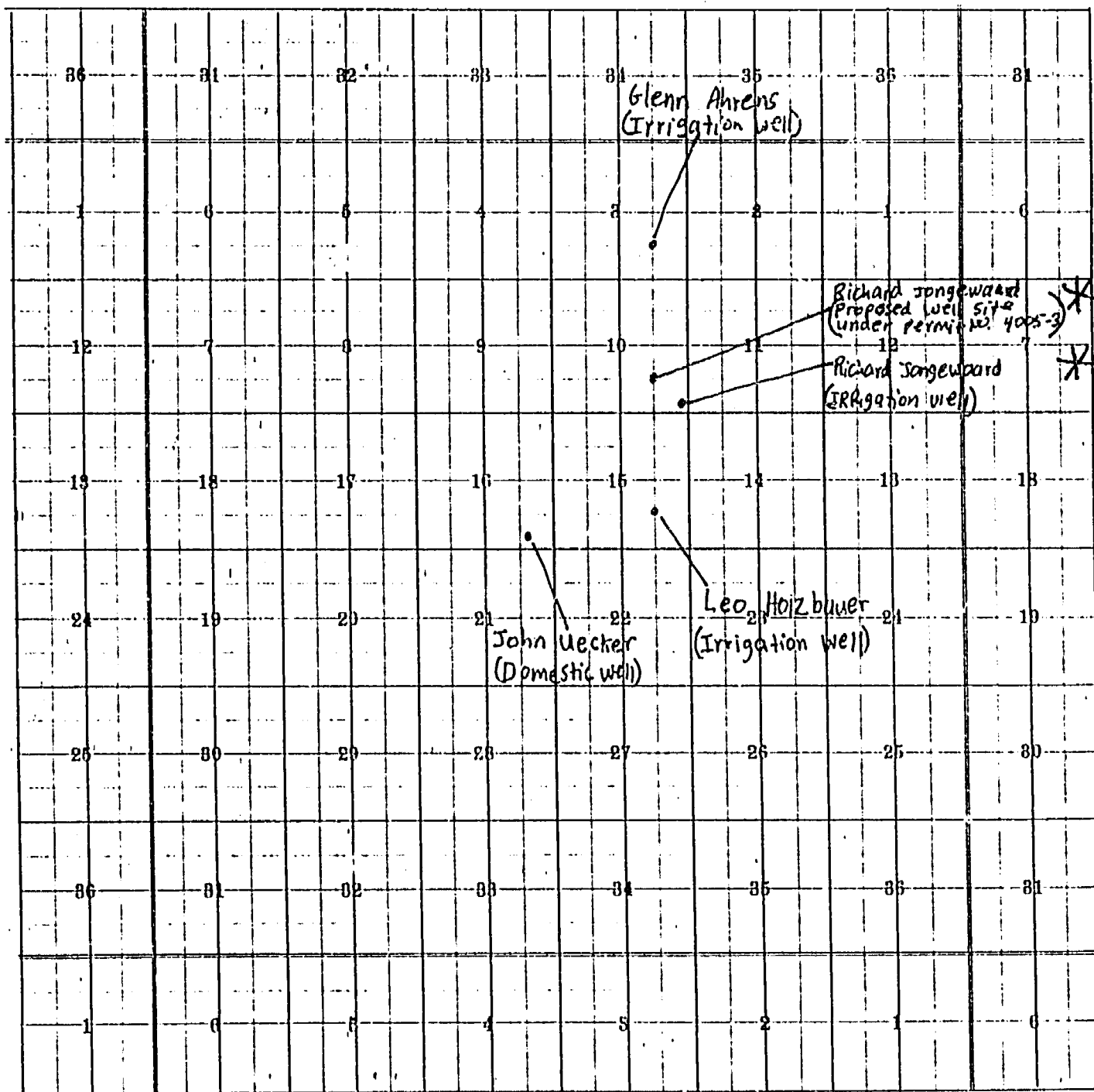
BROWN & BAENDER, PRINTERS, SIOUX FALLS, S. D.

Charles Mix

COUNTY, SOUTH DAKOTA

TOWNSHIP No. 96 N RANGE No. 63 W Sec. 10

(With surrounding tier of sections of adjacent townships)



RECEIPT

4140J5

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, January 21, 19 94

RECEIVED OF Richard Jongewaard, RR 1 Box 88, Wagner SD 57380-9750
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 _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John H. H. H. H.
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4005-3

(1) Maynard and Vera Vesper of Wagner SD made Application No. 4005-3, August 23, 1976 for a water permit to appropriate 4.00 cubic feet of water per second from groundwater (one well), Charles Mix County, South Dakota for irrigation purposes. Permit No. 4005-3, with a priority date of June 21, 1977 was approved March 28, 1979 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before March 28, 1981 and for the application to beneficial use of said water on or before March 28, 1983.

Water Permit No. 4005-3 was transferred on March 23, 1994 to Richard and Julie Jongewaard.

(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 1.94 cubic feet of water per second for beneficial use. The location of the diversion point is 350 feet north of the southeast corner of Section 10-T96N-R63W (SE 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:

Section 10-T96N-R63W	NW 1/4 SE 1/4	34 acres
	NE 1/4 SE 1/4	34 acres
	SW 1/4 SE 1/4	34 acres
	SE 1/4 SE 1/4	34 acres
	Total	136 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Richard and Julie Jongewaard of RR 1, Box 88, Wagner SD 57380 the holders and/or owners of Water Permit No. 4005-3 is issued a license to appropriate water, the right to use 1.94 cubic feet of water per second from groundwater (one well) with a priority date of June 21, 1977 from the location specified in (2) of this license. The water is conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4005-3 and subject to South Dakota State Law.



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

SEP 6 1995

date



4005-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

4005-3

Richard and Julie Jongewaard
RR 1, Box 88
Wagner, SD 57380

Dear Mr. and Ms. Jongewaard:

Enclosed is Water License No. 4005-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414005 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. 4005-3, 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 Program
(605) 773-3352

rd
enclosures

NOTE: The inspection of your water use system found the pump capacity of the well and the center pivot was 1250 gallons per minute (2.77 cfs). Under South Dakota Water Law, you can divert a maximum of 1.00 cfs for every 70 acres irrigated. Based upon the 136 acres irrigated, the water license was issued for a maximum allowable diversion rate of 1.94 cfs (873 gallons per minute).



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: RICHARD/JULIE JONGEWAARD, RR 1 BOX 88, WAGNER, SD 57380

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) 4005-3. 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) 4005-3 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.

PS Form 3811, December 1994

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:

RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER SD 57380

4a. Article Number

2 348 318 865

4b. Service Type

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

7. Date of Delivery

2-1-96

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

Domestic Return Receipt

Thank you for using Return Receipt Service.



4005-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 15, 1996

4005-3

Richard & Julie Jongewaard
RR 1 Box 88
Wagner, SD 57380

Dear Richard & Julie:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 irrigation questionnaire.

I completed a questionnaire for you based on our February 15th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your names have 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

Is your RETURN ADDRESS indicated 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:

4005-3

RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER SD 57380

4a. Article Number

P378 081 367

4b. Service Type

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

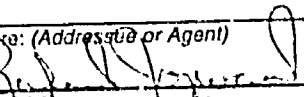
7. Date of Delivery

2-15-97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X 

Domestic Return Receipt

Thank you for using Return Receipt Service.



4005-3

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: RICHARD/JULIE JOHNSON, RR 1 BOX 88, WAGNER, SD 57380

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4005-3 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 28, 1997, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1997

4005-3

Richard & Julie Jongewaard
RR 1 Box 88
Wagner, SD 57380

Dear Mr. & Mrs. Jongewaard:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, **Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.**

I completed a questionnaire for you based on our March 3rd 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



4005-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: RICHARD/JULIE JONGEWAARD, RR 1 BOX 88, WAGNER, SD 57380

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) 4005-3. 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) 4005-3 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.

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 As 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.

Is your RETURN ADDRESS completed on the reverse side?

3. Article Addressed to: 4005-3
 RICHARD/JULIE JONGEWAARD
 RR 1 BOX 88
 WAGNER SD 57380

4a. Article Number
7 179 157 237

4b. Service Type

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
(X) Julie Jongewaard

7. Date of Delivery
1--10-98

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

PS Form 3811, December 1994

102565-97-B-0179 Domestic Return Receipt

Thank you for using Return Receipt Service.

4005-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 1998

4005-3

Richard Jongewaard
RR 1 Box 88
Wagner, SD 57180

Dear Rich:

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. 4005-3.

I completed a questionnaire for you based on our February 11th 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,

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

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



January 22, 1999

4005-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: RICHARD/JULIE JONGEWAARD, RR 1 BOX 88, WAGNER, SD 57380

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) 4005-3. 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) 4005-3 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.

TREATING LINGUISTICS



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

RETURN SERVICE REQUESTED

A circular postmark stamp. The outer ring contains the text "WATER RICHES PROGRAM" at the top and "Phoenix, AZ" at the bottom. In the center, it says "FEB 1989". There is also some faint, illegible text around the inner edge of the circle.

[illegible]

CERTIFIED

Z 119 141 61

MAIL

U.S. POSTAGE
\$2.98
PIERRE, SD
JAN 22 89
MAILER
506-552

JAN 5 2 1999

~~RICHARD/JULIE JONGEWAARD
RR 4 BOX 88
WAGNER SD 57580~~ Q5

GR 1 Box 6
Wood St
57585

THE UNIVERSITY OF CHICAGO

4005-3

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 the card to you.
- Attach this form to the front of the envelope, or on the back if space does not permit.
- Write "Return Receipt Requested" on the envelope below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

RICHARD/JULIE JONGEWAARD
RR 1 BOX 88
WAGNER SD 57380

4a. Article Number

2119 141 683

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

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

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

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

Consult postmaster for fee.

Thank you for using Return Receipt Service!

PS Form 3811, December 1984

122585-07-8-0179

Domestic Return Receipt



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 1999

4005-J

Richard & Julie Jongewaard
RR 1 Box 6
Wood, SD 57585

Dear Mr. & Mrs. Jongewaard:

I am contacting you with regard to your Water Right No. 4005-3. Enclosed is a "Notice" mailed to you January 22nd requesting submission of the 1998 irrigation questionnaire. The post office returned it to us with your new address.

Submission of the yearly questionnaire is required whether or not you may have irrigated during that particular crop year. Now that you have moved, will you still irrigate the land or perhaps have a renter irrigate for you?

If you would, please take the time to write or call and let me know your intentions towards Water Right No. 4005-3. I can be reached during regular office hours (8 am - 5 pm) at (605) 773-3352.

Thank you in advance for your help.

Sincerely,

Genny McMath
Genny McMath
Water Rights Program

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1999

4005-3

Richard & Julie Jongewaard
RR 1 Box 6
Wood, SD 57585

Dear Mr. & Mrs. Jongewaard:

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. 4005-3.

I completed a questionnaire for you based on my February 25th telephone conversation with Julie. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

I have made a notation in the file to send future questionnaires to Darwin Statler in Delmont, SD. I will send him a letter with a sample copy of the irrigation questionnaire to let him know what type of records to keep during the irrigation season. If things should change and you would like me to send correspondence to you instead of Mr. Statler, give me a call.

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

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

February 25, 1999

4005-3

Darwin Statler
39841 288th St
Delmont, SD 57330

Dear Mr. Statler:

I am contacting you in regard to Water Right No. 4005-3, held by Richard and Julie Jongewaard. I spoke with Julie today concerning last year's irrigation questionnaire and she indicated that future questionnaires should be directed to your attention.

Each year, we mail out irrigation questionnaires to irrigators in South Dakota. The questionnaires request information concerning the amount of water used during that particular crop year. I am enclosing a sample questionnaire to show you what types of information you will need to keep track of during the irrigation season.

The 1999 irrigation questionnaires will be mailed out about mid October. If you have any questions at all concerning the water right or the annual reporting requirements, please get in touch with me.

Sincerely,

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

c: Richard & Julie Jongewaard

NOT TO SCALE

4005-3

(1-239)

64.5

51.4

4

44.0

52.5

95.9

(1-241)

4

14.3

Tree (1.3)

59.2

56.9

12.0

10

80.0

39.70

138.6

12.6

2nd PLOT

152.7

Well

77.0

96-63-10

76

18.8

96-63-10

Leonard
Nelson
area Est agent

76.8

Leonard Nelson (1-241)
area Est agent

10.4

4

13.2

(1-239)

56.4

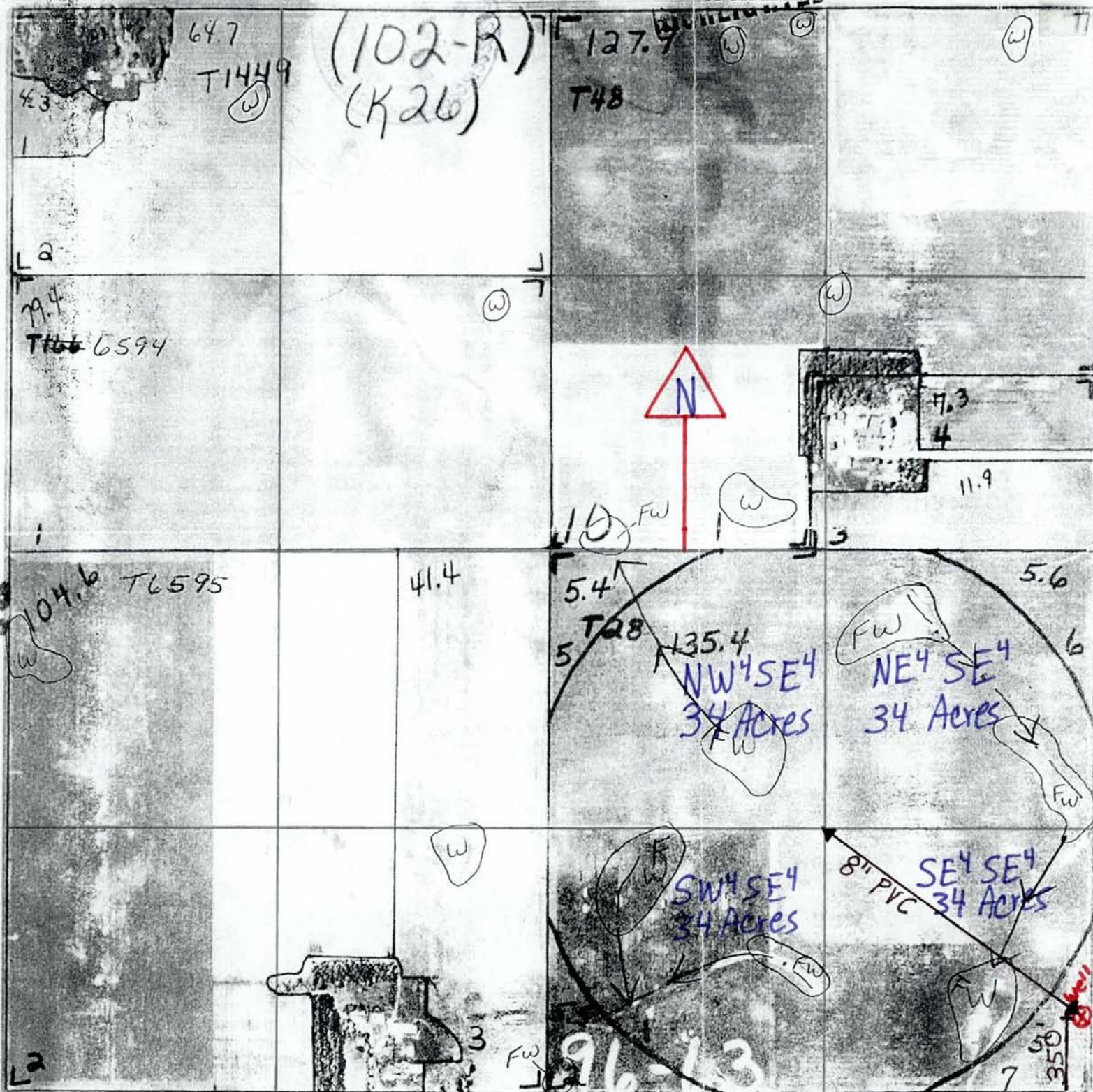
APPEND 4005-3

4005-3

NO

- (W) Wetland
 (FW) Ditched or tilled prior to 12-23-85 but still wetland
 (PC) Converted Wetland prior to 12-23-85
 (CW) Converted Wetland after 12-23-85
 (---) Ditched prior to 12-23-85
 (---) Tilled prior to 12-23-85
 (---W---) Wetland in a channel

**OFFICIAL WETLAND
 DETERMINATION FOR
 UNWEIGHED TRACTS ONLY**



13.2
 T45

261.4

Barry McLaury *Barry A. McLaury*
 Natural Resources Analyst
 Division of Water Rights
 Date November 24, 1993

15.0

4005-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 24, 2007

4005-3

Darwin Statler, Mgr
403 S Spencer St
Hoskins NE 68740-4122

Dear Mr. Statler:

Enclosed is a "Notice" dated October 19, 2007 concerning the 2007 irrigation questionnaire. The notice was originally mailed to 39841 288th St, Delmont SD. The post office notified us that your address has changed and I will update our records accordingly.

Our records show that Richard and Julie Jongewaard of Wood SD own the land. If you no longer rent the land from them, please give me a call and I will try and find out who the new contact person should be.

Thank you in advance for your help. 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



4005-3

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 18, 2008

NOTICE

TO: DARWIN STATLER, MGR, 403 S SPENCER ST, HOSKINS, NE 68740 4122

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 has not been submitted for Permit No(s) 4005-3. 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 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 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4005-3 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 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>

c: RICHARD JONGEWAARD, 28353 276th St, WOOD, SD 57585-8519

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.

4005-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4469
Status: **Delivered**

Your item was delivered at 9:44 AM on January 22, 2008 in WOOD, SD 57585. The item was signed for by R JONGWAARD.

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

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

Public Information
Privacy PolicyInternet Mail
Privacy Policy

RICHARD JONGEWAARD
28353 276TH ST
WOOD SD 57585-8519

DAVID JONGEWAARD

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:
6449 2000 0000 0802 4469

4105-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4452
Status: **Delivered**

Your item was delivered at 3:49 PM on January 28, 2008 in HOSKINS, NE 68740. The item was signed for by A BEHMER.

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

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

United States
Postal ServiceUnited States
Postal Service

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4452

DARWIN STATLER, MGR
403 S SPENCER ST
HOSKINS NE 68740 4122

Waiver of Signature ☐ YES ☐ NO

Postmark Here
deceased

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



**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 25, 2008

4005-3

Richard Jongewaard
28353 276th St
Wood SD 57585

Dear Mr. Jongewaard:

I am writing to acknowledge receipt of the information for your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 4005-3.

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

Just let me know Rich when you have made arrangements with a new tenant on the property. I can send him a copy of the water right to show what is covered for irrigation and any other documents that may help him complete future irrigation questionnaires.

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



October 29, 2014

4005-3

Richard Jongewaard
28353 276th St
Wood SD 57585 8519

Dear Mr. Jongewaard:

Enclosed is a "Notice" dated October 17, 2014 concerning the 2014 irrigation questionnaire. The notice was originally mailed to John Holzbauer as the renter. Mr. Holzbauer contacted us indicating he no longer rented the property from you.

Please complete the form and return it to us by **December 1st**. For informational purposes, I am including a copy of the cover letter sent to irrigators this year along with the questionnaires.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



November 3, 2014

4005-3

Dustin Holtz
1227 K Rd
Beemer NE 68716

Dear Mr. Holtz:

Enclosed is a 2014 irrigation questionnaire pertaining to Water Right No. 4005-3 held by Richard and Julie Jongewaard. Mr. Jongewaard has notified our office that you now rent the land from him.

Each year our office mails out irrigation questionnaires for irrigators to report water use. Submission of the forms is required whether or not you irrigated. Please complete the form and return it to our office no later than **December 1st**.

I have included a copy of the water right to give you an idea of what is authorized for irrigation along with a postage paid envelope for your use in returning the form. If you have any questions, please contact me.

Sincerely,

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

enclosures

c: Richard Jongewaard



4005-3
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 15, 2016

NOTICE

TO: DUSTIN HOLTZ, RENTER, 1227 K RD, BEEMER, NE 68716

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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 **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4005-3 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 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: RICHARD JONGEWAARD, 28353 276TH ST, WOOD SD 57585 8519

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 29, 2016

4005-3

Dustin Holtz, Renter
1227 K Rd
Beemer NE 68716

Dear Mr. Holtz:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 4005-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

c: Richard Jongewaard, 28353 276th St, Wood SD 57585-8519



4005-3
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 20, 2017

NOTICE

TO: DUSTIN HOLTZ, RENTER, 1227 K RD, BEEMER, NE 68716

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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 **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4005-3 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 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: **RICHARD JONGEWAARD, 28353 276TH ST, WOOD SD 57585 8519**

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 31, 2017

4005-3

Dustin Holtz
1227 K Rd
Beemer NE 68716

Dear Mr. Holtz:

I am writing to acknowledge receipt of the 2016 irrigation questionnaire for Water Right No. 4005-3.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 4005-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

c: Richard Jongewaard



4005-3
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 26, 2018

NOTICE

TO: DUSTIN HOLTZ, RENTER, 1227 K RD, BEEMER, NE 68716

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4005-3 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 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

RICHARD JONGEWAARD, 28353 276TH ST, WOOD SD 57585 8519

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 2018

4005-3

Dustin Holtz
1227 K Rd
Beemer NE 68716

Dear Mr. Holtz:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 4005-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

c: Richard Jongewaard, 28353 276th St., Wood SD 57585 8519



4005-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: DUSTIN HOLTZ, RENTER, 1227 K RD, BEEMER, NE 68716

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 4005-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

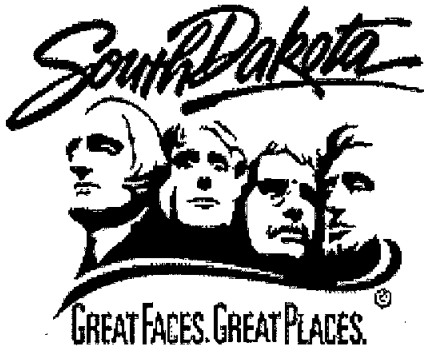
1. Amend Permit No(s) 4005-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: RICHARD JONGEWAARD, 28353 276TH ST, WOOD SD 57585 8519

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.



4005-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 2019

4005-3

Richard Jongewaard
28353 276th St
Wood SD 57535-8519

Rick:

I am writing to acknowledge receipt of the information for your 2018 irrigation questionnaire. I completed a form for you based on our phone conversation.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 4005-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Once you get a new renter on the property, please send me their name and address and I will update the water right accordingly. If you have any questions, please contact me.

Sincerely,

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



4005-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 15, 2021

Bryan
w/Advantage Land Company

RE: Water Right No. 4005-3, Richard and Julie Jongewaard

At your request, I reviewed past irrigation questionnaires submitted for Water Right No. 4005-3.

The printed chart shows the years from 1979 thru 2020. The column with the "x's" reflects when irrigation took place and when it did not. If an "x" is shown, I wrote a comment beside it to show why the land was not irrigated. You will note that in 1983 and in 1988, the owners had the land in a government program. In the other years when irrigation did not take place, they wrote they either had "sufficient moisture or too wet". Those reasons are within the scope of legal excuse as defined in Water Management Board Rules (see attached statutes and board rules dealing with these issues).

As I discussed with you on the phone, as a staff person, I can not tell you whether a water permit or water right has legal standing. The Water Management Board is the entity tasked with making those decisions.

If you need anything further from our files or have questions, please give me a call.

Sincerely,

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

emailed to: bryan@advantagelandco.com

Statutes:

46-5-36. Abandonment of use of water appurtenant to land - Public water subject to general appropriation. If the owner of the land to which water has become appurtenant abandons the use of such water upon such land, such water shall become public water, subject to general appropriation.

46-5-37. Failure to use beneficially appropriated water - Forfeiture for nonuse - Reversion to public. When any person entitled to the use of appropriated water fails to use beneficially all or any part of such water for the purpose for which it was appropriated, for a period of three years, such unused water shall revert to the public and shall be regarded as unappropriated public water.

46-5-37.1. Abandonment or forfeiture of permits or rights - Recommendation of chief engineer for cancellation. Upon the initiative of the chief engineer or upon petition by any interested person and after reasonable notice to the holder of the right or permit, if he can be located, the chief engineer may investigate whether or not a water permit or right has been abandoned or forfeited. After the investigation, the chief engineer may recommend cancellation of the permit or right for reason of abandonment or forfeiture. The recommendation, notice and hearing shall be conducted pursuant to the procedure contained in chapter 46-2A.

46-5-37.2. Exceptions to forfeiture for nonuse. The provisions of 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if the water source is not fully appropriated, if the withdrawal from use does not prevent approval of new permits from the same source, and if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

Rules:

74:02:01:36. Board authorized to cancel invalid water permits, rights, or vested rights. The board may cancel a water permit, right, or vested right which has become invalid and file a record of the cancellation in the water permit, right, or vested right record.

74:02:01:37. Invalid water permit, right, or vested right defined. A water permit, right, or vested right is invalid if it meets one or more of the following conditions:

- (1) The necessary works were not constructed or the water put to beneficial use within the time limits as provided by statute;
- (2) Use of water has been abandoned as specified in SDCL 46-5-36;
- (3) Use of water has been forfeited for nonuse as specified in SDCL 46-5-37.

74:02:01:37.01. Legal excuse for nonuse of water. Legal excuse for nonuse of water suspends the period of nonuse specified in SDCL 46-5-37. Legal excuses for nonuse of water include but are not limited to the following:

- (1) Unavailability of water to satisfy a permit, right, or vested right;
- (2) Legal proceedings which prevent the use of water;
- (3) Water use under existing climatic conditions would result in a waste of water.

Reported Water Use

11/15/2021

Permit No	Year	Name	Not Irrig	Not Constr
4005-3	1979	See PDF for water use	-	-
4005-3	1982	See PDF for water use	-	-
4005-3	1983	MAYNARDVESPER <i>PIK Program</i>	X	
4005-3	1984	MAYNARDVESPER		
4005-3	1985	MAYNARDVESPER		
4005-3	1986	RICHARD/JULIEJONGEWAARD-OP		
4005-3	1987	RICHARD/JULIEJONGEWAARD-OP		
4005-3	1988	RICHARD/JULIEJONGEWAARD-OP <i>0-92 Program</i>	X	
4005-3	1989	RICHARD/JULIEJONGEWAARD-OP		
4005-3	1990	RICHARD/JULIEJONGEWAARD-OP		
4005-3	1991	RICHARD/JULIEJONGEWAARD-OP		
4005-3	1992	RICHARD/JULIEJONGEWAARD-OP		
4005-3	1993	RICHARD/JULIEJONGEWAARD <i>too wet</i>	X	
4005-3	1994	RICHARD/JULIEJONGEWAARD		
4005-3	1995	RICHARD/JULIEJONGEWAARD <i>too wet</i>	X	
4005-3	1996	RICHARD/JULIEJONGEWAARD <i>too wet</i>	X	
4005-3	1997	RICHARD/JULIEJONGEWAARD		
4005-3	1998	DARWINSTATLER, MGR		
4005-3	1999	DARWINSTATLER, MGR		
4005-3	2000	DARWINSTATLER, MGR		
4005-3	2001	DARWINSTATLER, MGR		
4005-3	2002	DARWINSTATLER, MGR		
4005-3	2003	DARWINSTATLER, MGR		
4005-3	2004	DARWINSTATLER, MGR		
4005-3	2005	DARWINSTATLER, MGR		
4005-3	2006	DARWINSTATLER, MGR		
4005-3	2007	JOHNHOLZBAUER, RENTER		
4005-3	2008	JOHNHOLZBAUER, RENTER <i>excessive rain</i>	X	
4005-3	2009	JOHNHOLZBAUER, RENTER		
4005-3	2010	JOHNHOLZBAUER, RENTER		
4005-3	2011	JOHNHOLZBAUER, RENTER		
4005-3	2012	JOHNHOLZBAUER, RENTER		

Permit No	Year	Name		Not Irrig	Not Constr
4005-3	2013	JOHNHOLZBAUER, RENTER			
4005-3	2014	DUSTINHOLTZ, RENTER			
4005-3	2015	DUSTINHOLTZ, RENTER			
4005-3	2016	DUSTINHOLTZ, RENTER			
4005-3	2017	DUSTINHOLTZ, RENTER	sufficient moisture	X	
4005-3	2018	DUSTINHOLTZ, RENTER	extreme rainfall	X	
4005-3	2019	DUSTINHOLTZ, RENTER	land was flooded	X	
4005-3	2020	RICHARDJONGEWAARD	sufficient moisture	X	



4005-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 9, 2023

4005-3

Roger & Debrah Sieck
11504 Melchert Place
Hill City SD 57745

Dear Mr. & Mrs. Sieck:

I am writing in follow-up to our phone conversation concerning the land you purchased from Richard Jongewaard located in Charles Mix County. A copy of the water right is enclosed.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

During our phone conversation you indicated you were not sure if you were going to irrigate or not. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed for your review are excerpts of water laws and Water Management Board rules dealing with these issues.

At the very least, you can transfer the water right to your names and make a business decision at a later date if you wish to abandon the water right. Keep in mind the "use it or lose it" criteria described in the excerpts of the water laws.

If you have any questions, please let me know.

Sincerely,

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

enclosures

4005-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate February 21, 2023RECEIVED OF Roger/Debrah Sieck 11504 Melchert Place Hill City SD 57745

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 <u>4005-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
vjk

PAID

FEB 21 2023

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 9616
Rec't# _____

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

No. 4005-3

Date: 2-14-23

I/We request that Water Right No. 4005-3

formerly owned by: Richard & Julie Jongewaard

be transferred to: (name & address) Roger Sieck
11504 Melcher Place
Hill City, SD 57745 Telephone No. 605-584-9910

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

136 acres – SE ¼ Section 10, T96N, R63W

I/We understand that the validity of Water Right No. 4005-3 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 Fifty Dollars (\$50.00) 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 Roger Sieck, the new owner, certify that the above information is true and correct.


(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.

RECEIVED

FEB 21 2023

OFFICE OF
WATER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 23, 2023

4005-3

Roger Sieck
11504 Melchert Place
Hill City SD 57745

Dear Mr. & Mrs. Sieck:

Thank you for sending in the transfer form and filing fee for changing ownership on Water Right No. 4005-3.

The ownership change has been completed. The water right formerly held by Richard & Julie Jongewaard is now listed in your name.

Enclosed for your records is a receipt for the filing fee you paid.

If you have any questions, please let me know.

Sincerely,

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

Enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 23, 2023

4005-3

Roger Sieck
11504 Melchert Place
Hill City SD 57745

Dear Mr. Sieck:

Thank you for sending in the transfer form and filing fee for changing ownership on Water Right No. 4005-3.

The ownership change has been completed. The water right formerly held by Richard & Julie Jongewaard is now listed in your name.

Enclosed for your records is a receipt for the filing fee you paid.

If you have any questions, please let me know.

Sincerely,

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

Enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2024

4005-3
8718-3
8725-3

Roger Sieck
728 Appaloosa Ln
Spearfish SD 57783

Dear Mr. Sieck:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaires.

The notice was originally mailed to 11504 Melchert Pl, Hill City SD 57745. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaires or submit your reports online at <https://danr.sd.gov/iq/> using this password *BYIWQD*.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

NOV 1 2024 11:41 AM
RETURN TO SENDER
11504 MELCHERT PL
HILL CITY SD 57745
RETURN TO SENDER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2024

4005-3

8718-3

8725-3

Roger Sieck
728 Appaloosa Ln
Spearfish SD 57783

Dear Mr. Sieck:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaires.

The notice was originally mailed to 11504 Melchert Pl, Hill City SD 57745. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaires or submit your reports online at <https://danr.sd.gov/iq/> using this password *BYIWQD*.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

NOV 01 2024 11:41:02 AM
RETURN TO SENDER
728 APPALOOSA LN
SPEARFISH SD 57783
RETURN TO SENDER