

4329-3

1. Considered NOVEMBER 15, 1978
2. Name of Applicant KITTELSON BROS.
3. Post Office Address TRENT, SD 35-106-49
4. Amount of Water claimed NO ADDITIONAL
5. Source of Water supply 3 WELLS - 29' - 40'
6. Water to be used for IRRIGATION
Acres to be irrigated 150
7. Water to be diverted and used in MOODY County
about 1 1/2 miles NORTH of TRENT
8. Proof of Publication
Received 10-10-26-78
Not Received _____
9. Application
Approved 11-15-78
Subject to will Int'l. combine with P. 10-10-26-78
Not Approved _____
Action Deferred _____

10. Remarks:

No. 4329-3

Received:

August 14, 1978
8:45 a.m.Map No. 3536-3 Water Division No. 3 Big Sioux River District
956-3
1238-3
2889-3
(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 Kittelson Bros.
Postoffice address Trent, 57065, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract & direct labor
3. Name of diversion work Kittelson Irrigation Project #4
4. Amount of water claimed (cubic feet per second) 5.54
5. Source of water supply ground water
6. Location of point of diversion Well #1, 75'N & 40'E of SW corner; Well #2, 60'E & 250'N of NW corner & Well #3, 40'E & 250'N of NE corner, all in Section 27-T106N-R49W
County Moody
7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 538

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.
<u>see attachment</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Moody Co. Enterprise
12. Principal Features of the Proposed Water Supply System.

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

Buried pipe line from wells

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

Buried closed conduit

C. Works proposed to apply water to beneficial use.

Center Pivot Irrigation machine

The applicable portions of the following permits have been incorporated into this Permit and places Permits Nos. 1345-3, 1711-3, 1717-3 and 3612-3 in a cancelled status.

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
) ss.
County of Brookings)

I, Leon Kittelson 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 s/ Kittelson Bros.Subscribed and sworn to before me this 8 day of Aug. 1978s/ John Wiersma

Notary Public (or other qualified officer)

(seal)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4329-3KITTELSON BROS.

(Applicant)

TRENT

(Post Office Address)

SOUTH DAKOTA 57065

(State)

With the following modifications:

The irrigation wells 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.

Wells approved under this permit shall be located at least 660 feet from the Sioux River, and be spaced so there is at least 660 feet between wells.

The applicable portions of Permit Nos. 1345-3, 1711-3, 1717-3 and 3612-3 have been incorporated into this Permit No. 4329-3 and Permit Nos. 1345-3, 1711-3, 1717-3 and 3612-3 have been placed in a cancelled status.

Date of first receipt of application AUGUST 14 19 78
 Date of return to applicant for correction, amendments or changes required AUGUST 21 19 78
 Date of receipt of corrected application OCTOBER 19 19 78
 Approved NOVEMBER 15 19 78, Recorded in Book 20 Page 107

WATER RIGHT PERMIT NO. 4329-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4329-3, 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 (2000) * FEBRUARY 2, 1977
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 15 19 81
3. The whole of said work is to be completed on or before NOVEMBER 15 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 15 19 86
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 5.54 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 use, 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-seventh (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 NOVEMBER 15 1986; said water to be used during the following describe Annual period: APRIL THRU OCTOBER

* PRIORITY ON WELLS #1, #2 & #3 APPROVED UNDER PERMIT No 3612-3

Witness my hand this 4TH day of DECEMBER 19 78

WATER RIGHTS COMMISSION

By:

John Welch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

ATTACHMENT

Water Right #4329-3

All in T106N-R49W

		Acres	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 26	40	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	26	36	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	26	35	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	26	<u>37</u>	= 148

NW $\frac{1}{4}$ SW $\frac{1}{4}$	26	40	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	26	40	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	26	40	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	26	<u>40</u>	= 160

SW $\frac{1}{4}$ SE $\frac{1}{4}$	27	40	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	27	<u>40</u>	= 80

NW $\frac{1}{4}$ NE $\frac{1}{4}$	35	37	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	35	37	
SW $\frac{1}{4}$ NE $\frac{1}{4}$	35	38	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	35	<u>38</u>	= 150

538 TOTAL ACRES

Well #1, 75'N & 40'E of SW corner

Well #2, 60'E & 250'N of NW corner

Well #3, 40'E & 250'N of NE corner all in Section 27, T106N-R49W

Cancel 1345-3, 1711-3, 1717-3, & 3612-3

CONSERVATION COMMISSION
FORM WI #1
6/77

W/R's copy

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

RECEIVED

1984 1070

South Dakota
Division of Conservation

IMPORTANT: Read Instructions Before Proceeding!!!

NAME Killman Bros Date 9/1/83

ADDRESS Trent South Dakota 57065

COUNTY Moody

In accordance with State Law (Section 1, SB-56), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

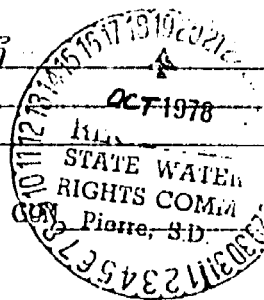
1. WELL LOCATION OR DIVERSION POINT Sec 9 of SE 1/4 Sec 27-106-49
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 Sec 35-106-49

TYPE OF IRRIGATION:

3. GRAVITY ☐ TOWLINE ☐ CENTER PIVOT ☒

OTHER (SPECIFY) _____

4. CROPS TO BE IRRIGATED Corn & alfalfa



WATER QUALITY (To be completed by SDSU Water Quality Lab)

5. SAMPLE NUMBER 77-068

6. SALINITY (DC X 10³) 7.13

7. SODIUM (SAR) 0.14

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

SUBSCRIBED AND SIGNED BEFORE ME THIS

8 DAY OF Aug, 1983

[Signature]
(TITLE OR NAME)

[Signature]
APPLICANT'S SIGNATURE

[Signature]

Approved ☐
Disapproved ☐

Conditionally Approved ☒

(SOILS INFORMATION ON REVERSE SIDE)

plotted on
1/2" 35

ZF3WR - 51047 10 am
1-1 2100

256T - Cassiopeia

35472 *Sium San dy laurum*
2-1 Deep phase
Euphorbia m. S.
delm

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

Submitted by: Littleton Iron
Address: Box 1
Front, SD 57065

Date Rec'd: June 17, 1977
Sample No.: 77-063
Identification: 100, 149

WATER ANALYSIS

Calcium (Ca)	11.1	ppm*	me/l**
Magnesium (Mg)	5.2	ppm	me/l
Sodium (Na)	7	ppm	me/l
Potassium (K)	2	ppm	me/l
Sulfate (SO ₄)	11.3	ppm	me/l
Nitrate (as N)		ppm	me/l
Chloride (Cl)	1.2	ppm	me/l
Bicarbonate (HCO ₃)	4.90	ppm	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)	238	ppm (as CaCO ₃)	
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)	
Electrical Conductivity	71.3	micromhos per cm at 25° C.	
Sodium Adsorption Ratio	0.14		
Sodium	3.32%	of cations	
Residual sodium carbonate	0.06	me/l	
pH	7.69		

Others:

*ppm==parts per million

**me/l==millequivalents per liter

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

COMMENTS: Total cations 9.02 mg/l
Total anions 7.46 mg/l

By: Harley Allen

Service Performed

Amount Due

Irrigation analysis

\$1.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-063

Amount Enclosed \$

Signed

Publish first publication, on or before October 25, 1978 No. 4329-3

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 20, 1978

Notice is hereby given that Kittleson Bros. whose post office

address is Trent, 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, 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, for a permit to appropriate for beneficial use no Appl cubic feet of water per second of time from groundwater (3 existing wells)

through the Kittleson Irrigation Project #4 the point^s of diversion of which ~~is~~^{are} to be located in the SW 1/4

of Section 27, Twp. 106 N Range 49 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 35-T106N-R49W

This Application No. 4329-3 will be considered by the Water Rights Commission at SDEA Auditorium 411 E. Capitol, Pierre, SD upon the 15th day of November, 1978 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.

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.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: Kittleson Bros.
Trent, SD 57065

Form 6, Notice of Intent to Appropriate Water
GROUND WATER

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

No. 4329-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Angela Nibbelink hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Moody County Enterprise

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

City _____ of Flandreau

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

October 25, 1978

November 1, 1978

Angela Nibbelink
(Signature)

Bookkeeper
(Title)

December 1, 1978
(Date Signed)

NOTICE OF HEARING
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
October 20, 1978

Notice is hereby given that Kittleson Bros. whose post office address is Trent, 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 46-5-21, 46-5-41, 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, for a permit to appropriate for beneficial use No Add'l cubic feet of water per second of time from groundwater (3 existing wells) through the Kittleson Irrigation Project No. 4 the points of diversion of which are to be located in the SW1/4SE1/4 of Section 27, Twp. 106 N., Range 49 W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE1/4, Section 35, T. 106 N., R. 49 W.

This Application No. 4329-3 will be considered by the Water Rights Commission at SDEA Auditorium, 411 E. Capitol, Pierre, S.D. upon the 15th day of November, 1978 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.

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.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist
(Oct. 25-Nov. 1)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6517

August 24

78

PIERRE,

19

RECEIVED OF Kittelson Bros., Trent SD 57065

FUND 290

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

Fee for Application for Permit to Appropriate Water No. 4320-3 (examination, processing, recording and filing)	250	00
Fee for Inspecting Construction, and issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

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

1345-3 K. H. Nelson Bros by H. H. McManis
1712-3
5-17-78 Vermeer (Holt) Model 1.180
Fuel tank 180' average
" 13293 Hopper for 550 gpm
pump

Vermeer (Holt) Model 1.180
Fuel tank 180' average
Hopper for 550 gpm.
Aluminum type
8" dia 3600 ft
6" " 3600 ft

Pump for River = Norman Jugg
Model 62 B 2 B, Ser # 413174
Pumps 1100 gpm.
U.S. Elec Motor 100 HP. 1780 RPM
Ser # J 1413521.

3612-3 K. H. Nelson Bros by H. H. McManis
5-11-78 SW #1 75' H. 40' L. 8' 5" dia 180' S
Fuel tank 180' average
Hopper for 550 gpm.
U.S. Elec Motor 100 HP. 1780 RPM
Ser # J 1413521

U.S. Elec Motor 100 HP. 1780 RPM
Ser # J 1413521

Water Flow Log

3612-3 Nelson Bros by 17 Menough
 5-17-76 East Well Depth 40' Elev 1765
 Capacity 200 Pumping 400
 Meter 115.86w 40 MP 1765 R.P.
 ID# R-6227-02-114 R2108929
 Pump Johnston vertical

Well #2

3612-3 Nelson Bros by 17 Menough
 5-17-76 West Well^{W.P.} 60' Elev 1755' N of NW
 Corner of F.S.
 Well #2 Depth - 40' Elev 1765
 Capacity 575 Pumping 400
 Meter 115.86w 40 MP 1765 R.P.
 ID# R-6227-02-114 R2108929
 Pump Johnston vertical

Original permits 388 acres

= 5.54 CFS = asked for

no additional water on
new permit.

acreage not being irrigated

538 acres. Well Capacity

#1 = 1.22

2 = 1.29

3 = 2.00

4.50 -

538 acres

5.54 cfs



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-4212

December 6, 1978

Kittelson Bros.
Trent, SD 57065

Dear Sirs:

Enclosed herewith is your Water Right Permit No. 4329-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 4329-3.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

JH/BW/bt
Enclosure

P.S. The applicable portions of permits nos. 1345-3, 1711-3, 1717-3 and 3612-3 have been incorporated into this permit no. 4329-3 and permits nos. 1345-3, 1711-3, 1717-3 and 3612-3 have been placed in a cancelled status.

4327-3 Kittelson Bros.

For final inspection. At 3 wells
1-8-81. and air pump have been inspected
also the two runners. When the
II/springs the C.P. need to be checked
also, the amount and size of
burned pipe.

Spot the C.P.s on these maps
the area outlined in orange is
land under the patent 4327-3

Complete an extra map when
final inspection done and send
with license for publication.

November 21, 1988

South Dakota Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S. D. 57501-3181



Ref: 4329-3

Att: John Hatch, Chief Engineer
Water Rights Division

Dear Mr. Hatch:

We are enclosing form No. 4329-3 covering the water we have used this year for irrigation on Location No. 14-1-34-1. We would like this transferred to the Farmers National Co., (Grace Baird Farm) % Mike Cooper, P.O. Box 220, Pipestone, Minnesota 56164.

Since the Kittelson Brothers are no longer farming and the land has been taken over by the FmHA office out of Flandreau we would like you contact them and see what they want done with the water rights on locations No. 14-1-26-3-4 & 14-1-27-4-3-3.

We hope this gives you the information necessary to make the necessary changes and if you require more information please contact us.

Thank you,

Sincerely,

Kittelson Brothers %
Dale A. Kittelson
701 W. Elm
Flandreau, SD 57028
605-997-2271

**South Dakota Department of
Water & Natural Resources**

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

March 28, 1989

4329-3

Farmers Home Administration
207 2 E Street
Flandreau, SD 57028

Dear Sirs:

I am contacting you in regard to ownership of land authorized for irrigation under Water Permit No. 4329-3. The water permit is currently listed under the name of Kittelsen Brothers. Dale Kittelson has notified us that they are no longer farming and you now own the land. Enclosed is a copy of the water permit for your review.

Also enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 4329-3. Please check over the form, sign and have it notarized. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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 me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



L

NO. 4329-3



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: April 17, 1989

This is to notify you that the title to the lands described as follows:

538 acres- S 1/2 Section 26, S 1/2 SE 1/4 Section 27, NE 1/4 Section 35,

T106N, R49W

formerly owned by Kittelson Brothers

has been transferred to Farmers Home Administration, 207 2 East - Flandreau, SD 57028

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water ~~Right~~ Permit No. 4329-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Moody) ss.

I, John P. McMahon 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 I know of my own personal knowledge that the information herein stated is true.

John P. McMahon
John P. McMahon (Signed)
County Supervisor, FmHA

Subscribed and sworn to before me this 17 Day of April, 19 89.

John P. McMahon
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 13

1989

RECEIVED OF Farms Home Administration (FHA) 20722 East, Flandreau, SD 57028

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form Water Right Permit No. 4320-3

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

John Hatch/mra

4329-3

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3781

May 2, 1989

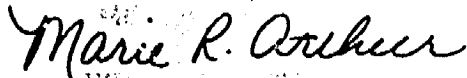
John P. McMahon
Farmers Home Administration
207 2 East
Elandreau, SD 57028

Dear Mr. McMahon:

Enclosed is Receipt No. 411753 in the amount of \$2.50 which you
paid for transfer of Water Right No. 4329-3.

Our records do not reflect you as the owner of this Water Right.

Sincerely,



MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure



South Dakota
Department of
Water & Natural Resources

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

February 8, 1989

LEON KITTLESON
KITTELSON BROTHERS
RR 1 BOX 15
TRENT, SD 57065

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). 4329-3. 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 3:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

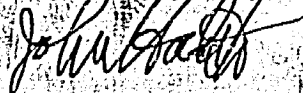
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 4329-3 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



**South Dakota Department of
Water & Natural Resources**

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

February 23, 1989

4329-3

Dale Kittelson
Kittelson Brothers
701 W Elm
Flandreau, SD 57028

Dear Mr. Kittelson:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 4329-3. 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
JOHN HATCH, Chief Engineer
Water Rights Division

NOTE: At your request, Farmers National Company will be contacted concerning transfer of ownership of Water Permit No. 4329-3.



NO. 4329-3



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 03/29/90

This is to notify you that the title to the lands described as follows:

S 1/2 Section 26, S 1/2 SE 1/4 Section 27,

T106N, R49W

formerly owned by Farmers Home Administration

has been transferred to Terry L. & Denise Anderson

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water ~~Permit~~ Permit No. 4329-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Moody) ss.

I, Terry Anderson 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 I know of my own personal knowledge that the information herein stated is true.

Terry Anderson
(Signed)

Subscribed and sworn to before me this 29th Day of March, 19 90.

JoAnn Dailey
JoAnn Dailey (Notary Public)

Commission Expires 04/24/92

WNR-820-9/83
Notice of Transfer of Water Permit



United States
Department of
Agriculture

Farbers
Horn
Administration

107 S. Crescent
Flindreau, CO 87028
(303) 977-2175

April 2, 1990

Water and Natural Resources
Joe Foss Building
523 East Capital
Pierre, SD 57501-3187

ATTN: Genny Melillo

Please find attached a Notice of Transfer of Water Permit under Water Permit No. 4329-S. FmHA has sold a portion of the land described in that Water Permit to Terry and Denise Anderson, namely the S1/2 of Section 26 and the S1/2SE1/4 of section 27, both in Twp. 106N, R. 49W. It is our wish to transfer the irrigation rights on the above mentioned ground to the Anderson's and retain the balance.

The portion of the farm that has not been sold is the NE1/4 of Section 35, Twn. 106, R. 49W.

The Anderson's address is as follows:
Terry and Denise Anderson
RR 1, Box 15
Trent, SD 57065

Please contact us if you have any questions.

Sincerely,

John P. McMahon
JOHN P. MCMAHON
County Supervisor

enclosure



Farriers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination should be sent to:
Secretary of Agriculture, Washington D.C., 20250

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 11, 1990

RECEIVED OF Terry Anderson, RR #1 Box 15, Trent, SD 57065

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form. Water Permit No. 4323-3

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

John H. G. Guss
Chief Engineer



February 27, 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

No. 4329-3

Terry L. and Denise Anderson
RR 1, Box 15
Trent, SD 57065

Dear Mr. and Ms. Anderson:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4329-3.

Our records now show you as the owner of Water Permit No. 4329-3.

Sincerely,

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

enclosure

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAREER OPERATOR SIGNATURE



January 22, 1999

4329-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: TERRY/DENISE ANDERSON, RR 1 BOX 15, TRENT, SD 57065 9708

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 5530-3, 4329-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4329-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5530-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5530-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4329-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



4329-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: TERRY/DENISE ANDERSON, RR 1 BOX 15, TRENT SD 57065

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

RE: Requirement to Report 1998 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 4329-3 was dated October 16, 1998. Our records indicate that we have not received your 1998 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1998 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 am, March 3, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 4329-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to March 3, 1999, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 ((505 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 1, 1999 you will no longer be in violation and your name will be deleted from the Board agenda.

4329-3

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 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:

TERRY/DENISE ANDERSON
RR 1 BOX 15
TRENT SD 57065 9708

4a. Article Number

P 378 080 720

4b. Service Type

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

7. Date of Delivery

1-23-99

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

5. Received By: (Print Name)

Denise Anderson

6. Signature: (Addressee or Agent)

X Denise Anderson

102595-98 U-0229

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



4329-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 1999

4329-3
5530-3

Terry & Denise Anderson
RR 1 Box 15
Trent, SD 57065-9708

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires and chemigation report. You may disregard the January 22, 1999, "Notices" concerning reporting requirements for Water Permit Nos. 4329-3 and 5530-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: TERRY & DENISE ANDERSON, 47558 237TH ST, TRENT, SD 57065
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5530-3, 4329-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4329-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5530-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5530-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4329-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

4329-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 2004

4329-3
5530-3

Terry & Denise Anderson
47558 237th St
Trent SD 57065

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit and Right Nos. 4239-3 and 5530-3.

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

If you have any questions, please contact me.

Sincerely,

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



4329-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: TERRY & DENISE ANDERSON, 47558 237TH ST, TRENT, SD 57065
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4329-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5530-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5530-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4329-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



4329-3

Track & Confirm

Current Status

You entered 2301 0370 0000 7541 4715

Your item was delivered at 8:28 am on January 22, 2005 in TRENT, SD 57065. The item was signed for by D ANDERSON.

[Shipment Details >](#)

Notification Options

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4715

TERRY & DENISE ANDERSON
47558 237TH ST
TRENT SD 57065

Postmark
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POSTAL CUSTOMER:

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Access internet web site at
www.usps.com
or call 1-800-222-1811

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☐ Package Services

(See Reverse)

PS Form 153, February 2001



4329-3
**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 21, 2005

4329-3
5530-3

Terry & Denise Anderson
47558 237th St
Trent SD 57065

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Permit Nos. 4329-3 and 5530-3.

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

If you have any questions, please contact me.

Sincerely,

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



NOT TO SCALE

37-R

17.3

14.6

54.1

29.4

138.5

27

35.6

64.9

24.4

40.5

72.0

12.5

106-49

NOT TO SCALE

4329-3



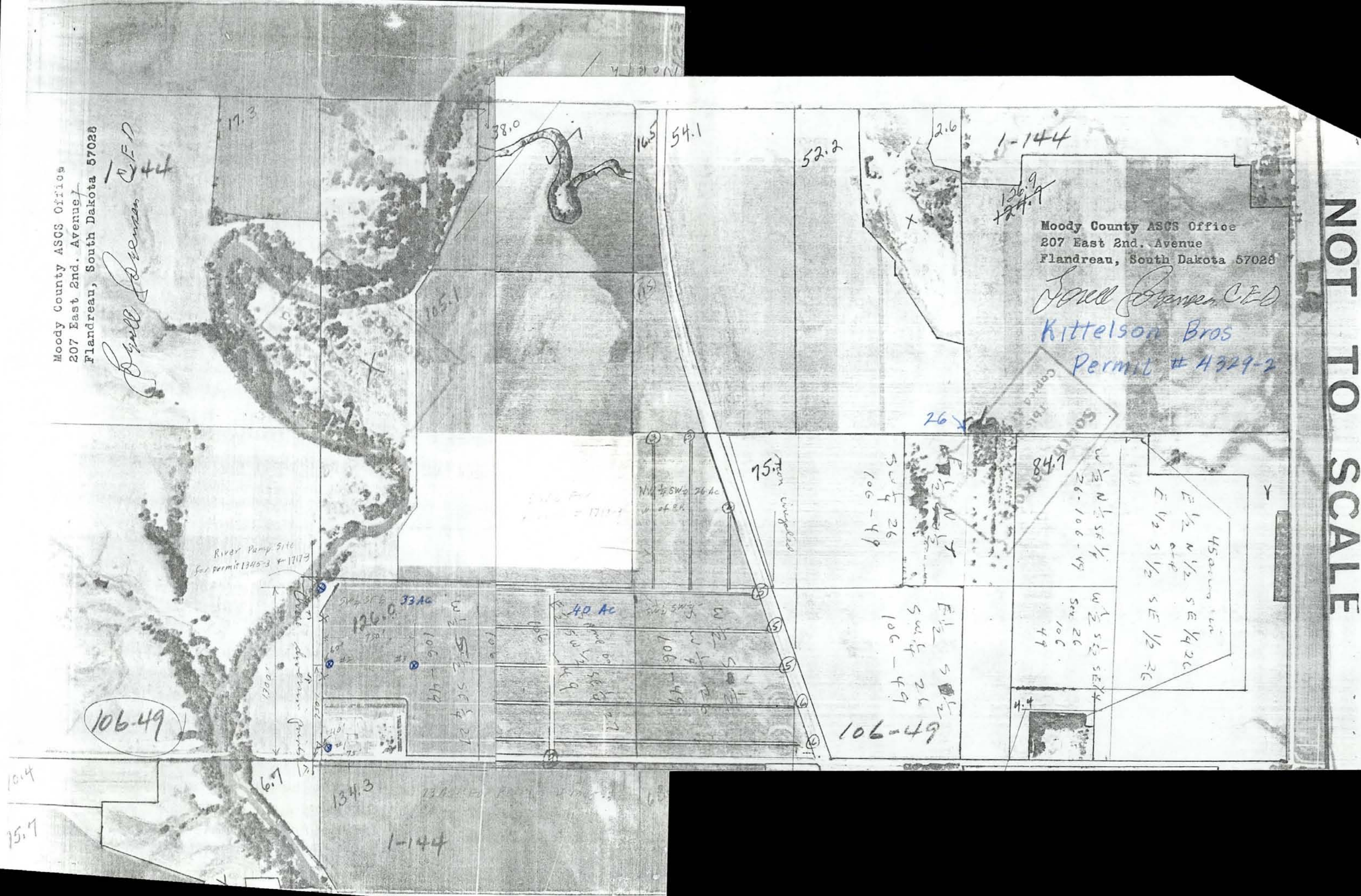
NOT TO SCALE

4329-3

10/11/44
D. F. D.
44

Lowell James C.E.D.
 Kittelson Bros
 Permit # 4329-2

NOT TO SCALE



Moody County ASCS Office
 207 East 2nd. Avenue
 Flandreau, South Dakota 57028

Don R. Lorenzen
 106-44



River Pump Site
 For permit 1345-3 & 1717-3

Chute diversion point

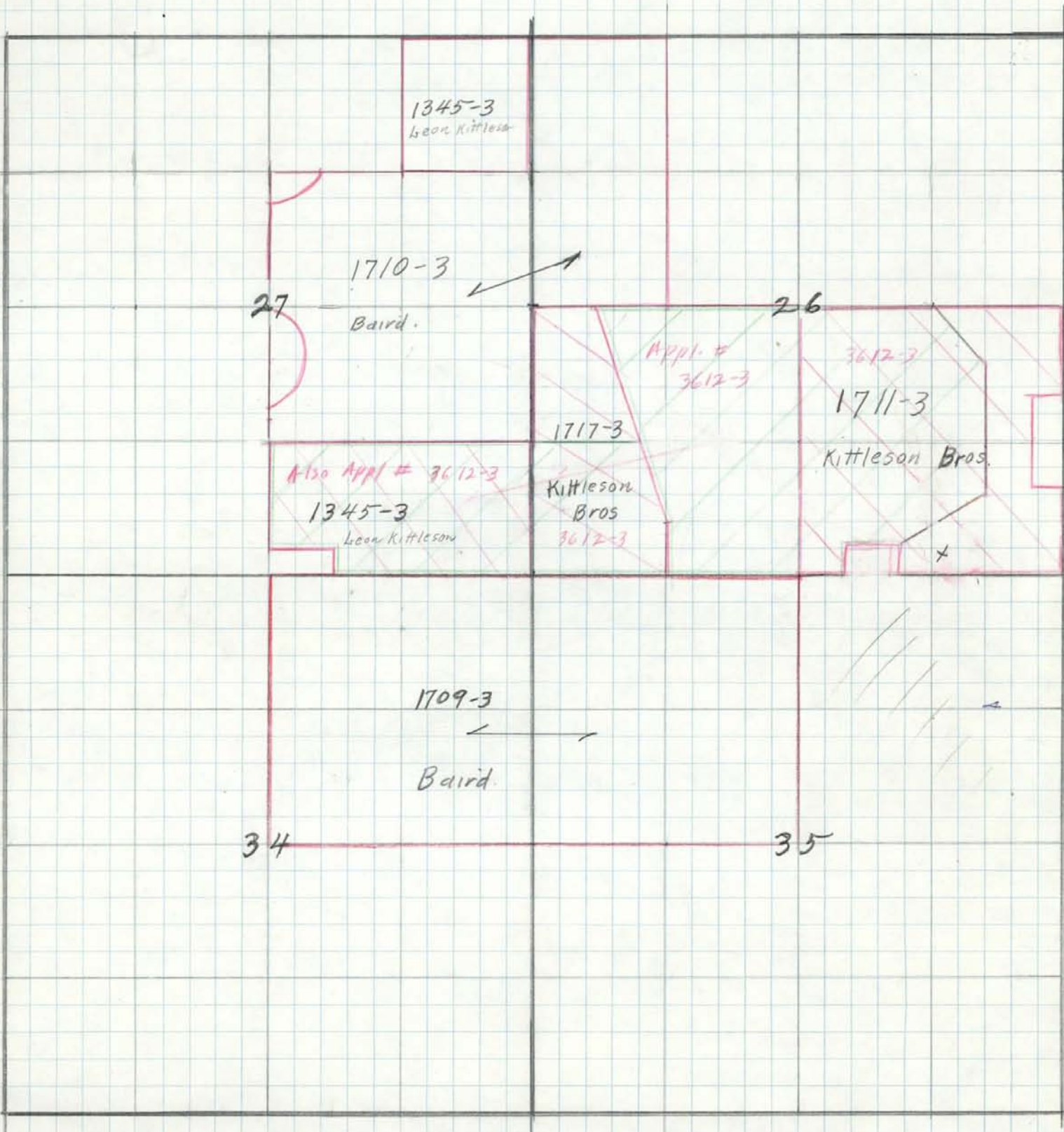
106.49

S 1/2 Sec 4 SE 1/4 27
 106-49

S 1/2 Sec 4 SE 1/4 27
 106-49

Sheet #1

MAP # 2889-3 APPROX 36-12-3



106-49

Note

Take above permits when checking
Kittleson and either consult or license
the area involved

by H. M. Mearns
11-15-77

Green + Red cross hatched are
duplicate areas on the map.

~~MAP 35363~~ -4329-3

Moody County ASCS Office
207 East 2nd. Avenue
Flandreau, South Dakota 57028

Boyd Jensen
CED
1-144

Moody County ASCS Office
207 East 2nd. Avenue
Flandreau, South Dakota 57028

Boyd Jensen CED
Kittelson Bros.
Permit # 4329-2

— Area under Permit
4329-3
+ NE $\frac{1}{4}$ - 35

River Pump Site
for permit 1345-3 + 17173

106-49

6.7

134.3

38.0

16.5

54.1

52.2

2.6

1-144

126.9
+ 24.1

27

26

84.7

Y

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26 Ac
W of RR

15.1

SW $\frac{1}{4}$ 26
106-49

W $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$
26-106-49

45 acres in
E $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ 26
E $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ 26

W $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$
26
106-49

106-49

Across Road
NE $\frac{1}{4}$ - 35

NOT TO SCALE

S² sec 26-106-49

This land under existing Permit #'s 1711-3, 1717-3, & 3612-3

One permit is for pumping station on River

Approximate location of existing wells

Buried pipe line

Scale 8" = 1 Mile

This a request to use water from
Permit #s 1711-3 1717-3 & 3612-3 to
irrigate NE⁴ sec 35-106-49 - No additional
water is requested

KITTELSON BROS.

Trent S. Dakota

57065

8-8-78

Certified Correct

John L. W. [unclear]

NW⁴ of
NE⁴
sec 35
106-49

NE⁴ of NE⁴ sec 35
106-49

SW⁴ of NE⁴ sec 35
106-49

SE⁴ of NE⁴ sec 35
106-49

S-682H

~~MAP 43536-3~~

APPL 4329-3



4329-3

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: TERRY & DENISE ANDERSON, 47558 237TH ST, TRENT, SD 57065

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4329-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5530-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5530-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4329-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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

4329-3

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

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4605
Status: **Delivered**

Your item was delivered at 12:17 PM on January 19, 2008 in TRENT, SD 57065. The item was signed for by D ANDERSON.

Track & Confirm

Enter Label/Receipt Number.

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No FEAR Act EEO Data

FOIA

Web Tracking
Tools & ServicesInternet Mail
Tracking

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4605	
TERRY & DENISE ANDERSON 47558 237TH ST TRENT SD 57065	
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	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2008

4329-3
5530-3

Terry & Denise Anderson
47558 237th St
Trent SD 57065

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Permit Nos. 4329-3 and 5530-3.

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

If you have any questions, please contact me.

Sincerely,

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

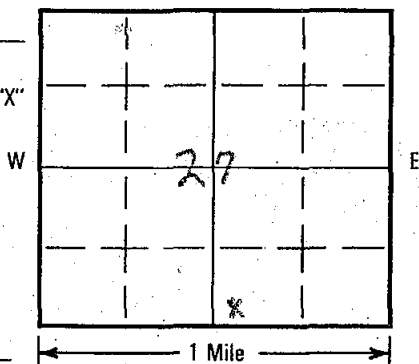
SOUTH DAKOTA WATER WELL COMPLETION REPORT

4329-3

07-92

Location SW 1/4 SE 1/4 Sec 27 Twp 106 Rg 49
 County Moody North

Please mark well location with an "X"



Well-Completion Date

1-17-13

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from CALF PEN (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

BUCKET/FALSE CASING

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe 56h 40

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
 LB/FT 14 IN 4.3 FT 21 FT 20" IN
 LB/FT _____ IN _____ FT _____ FT _____ IN
 LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type CEMENT No. of Sacks _____ Grout Weight _____ lb./gal _____ From 0 ft. 10 ft.
 _____ lb./gal _____ ft. _____ ft.

Describe grouting procedure MANIK 1 1/2 yds
grout

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 14 IN Length 11' FEET

Material PVC

Slot Size, 285 Set From 21 Feet to 32 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: _____

NO, Why Not? _____

Laboratory sent to for water quality analysis

chlorinated
GRAVEL/PACK

Iron well

Well Owner: TERRY ANDERSON

Business Name: _____

Address: 47558 237th St
EGAN, S.D. 57024

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>SANDY TOPSOIL</u>	<u>0</u>	<u>3</u>
<u>CLAYEY SAND</u>	<u>3</u>	<u>13</u>
<u>MUD LENS</u>	<u>13</u>	<u>15</u>
<u>COARSE BROWN GRAVEL</u>	<u>15</u>	<u>32</u>

STATIC WATER LEVEL

12'6"

Feet

If flowing: closed in pressure _____

PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped

Describe: _____

☐ Bailed

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pu

_____ ft. After _____ Hrs. pumped

If pump installed, pump rate _____

GPM

GPM

GPM

REMARKS

REP/ACE MEAT WELL

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm LACEY WELL DRILLING

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 1-24-13

RECEIVED

JAN 31 2013

WATER RIGHTS PROGRAM

4329-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 03 2016

4329-3
5530-3

Terry L Anderson
47758 437th St
Trent SD 57065

Dear Mr. Anderson:

Enclosed is Water License No. 5530-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5530-3, 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.

Sincerely,

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

enclosures

Note: The applicable portions of Water Permit No. 4329-3 were incorporated into Water License No. 5530-3.