

1. Considered January 28 1981
2. Name of Applicant Timothy Lee Vander Vorst
3. Post Office Address R.R. 1, Mound City 57646
4. Amount of Water Claimed 2.0
5. Source of Water Supply 300 ft. well
6. Water to be used for IRR
7. Acres to be irrigated 160 maximum acre feet
8. Water to be diverted and used in Campbell County
about 2E, 6 miles South of Mound City
9. PROOF OF PUBLICATION Received 1-20-81
Not Received _____
- APPLICATION Approved 1/29/81
Subject to WI-1Q
Not Approved _____
Action deferred _____

Priority 11/9/79 Date 12/17/80 Received _____ Application Complete yes ☒ no _____ FEE 150.00

Remarks This permit is for a change of Diversion from the center of
W $\frac{1}{2}$ to Approx center of NW $\frac{1}{4}$, 1320 feet from the original well approved which
was never completed. New owner

Date Information and/or
fee or corrected Application received _____
Period of Annual use May 1 to November 1st

WATER
QUALITY

Received yes 10/24/79 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes ☒ no ☒ Remarks under
orig permit center of W $\frac{1}{2}$ same depth as new one

Disapproved _____

Returned _____

Diversion Point _____

approximate center of the NW $\frac{1}{4}$

Section 15-T125N-R76W

Lands to be irrigated _____

NW $\frac{1}{4}$, Sec. 15-125-76

WELL
LOG

Remarks _____

Driller Huron Drilling Licensed yes ☒ ☒ no _____

Depth 300 feet

Water Right No. _____

MAP Map No. 3677-3A Map located in Water Right ^{xx} _____ Map file _____
Type of Map aerial Prepared by County Ext. agent

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1/28/81

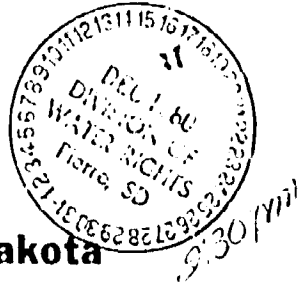
Emily Williams
(signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS
ETC. was adopted _____

Remarks _____

No. 4448-3AMap No. 3677-3A Water Division No. 3 MISSOURI RIVER District
Above for Office Use 10130 106

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____ ON PERMIT JE 4448-3Change in Diversion X Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant TIMOTHY LEE VANDER VORST Phone No. 955-3596
 Post Office Address RRI MOUND CITY State S.D 57646
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work VANDER VORST IRRIGATION UNIT #34. Amount of water claimed (cubic feet per second) 2 Cu. Ft./Sec.5. Source of water supply VANDER VORST IRRIGATION WELL #26. Location of point of diversion CENTER OF NW 1/4 OF SEC. 15
T 125 N R 76 WCounty CAMPBELL7. Annual period or periods during which water is to be used MAY 1 - NOVEMBER 18. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, Total number of acres to be irrigated 160

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

Land Description	No. Acres Irr.
<u>1/4 NW 1/4 - 15 - 125 - 76</u>	<u>40</u>
<u>1/4 NE 1/4 " "</u>	<u>40</u>
<u>3/4 NW 1/4 " "</u>	<u>40</u>
<u>3/4 SE 1/4 " "</u>	<u>40</u>

Land Description	No. Acres Irr.

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 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water PRAIRIE PIONEER12. Principal Features of the Proposed Water Supply System. POLLOCK, S.D.

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

VANDER VORST IRRIGATION WELL #2

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

IRRIGATION PIPE

C. Works proposed to apply water to beneficial use.

CENTER PIVOT IRRIGATION UNITEstimated Total Cost \$ 75,000.⁰⁰

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

STATE OF SOUTH DAKOTA)
County of CAMPBELL)ss.I, TIMOTHY LEE VANDER VORST 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 Timothy L. Vander Vorst
 Subscribed and sworn to before me this 16th day of December, 1980
Steen Dale, Registered Nurse
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4448-3A

Timothy Lee Vander Vorst R.R. #1 - Mound City
Mound City, S.D. (Applicant) South Dakota 57646 (Post Office Address)
(State) With the following qualifications

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.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The applicable portions of Permit No. 4448-3 have been incorporated into this Permit No. 4448-3A. The priority date for this Permit is established under Permit No. 4448-3.

Date of first receipt of application DECEMBER 17, 1980
Date of return to applicant for correction, amendments or changes required 19
Date of receipt of corrected application 19
Approved JANUARY 29, 1981, Recorded in Book 22 Page 34

WATER RIGHT PERMIT NO. 4448-3A

The Water Management Board hereby grants and issues this Water Right Permit No. 4448-3A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is NOVEMBER 9, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 29, 1983
3. The whole of said work is to be completed on or before JANUARY 29, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 29, 1990
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.0 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 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 JANUARY 29, 1990; said water to be used during the following described annual period: MAY 1ST TO NOVEMBER 1ST

Witness my hand this 13th day of MARCH, 1981

THE WATER MANAGEMENT BOARD

By

John Ketch
Chief Engineer, Water Rights

Certificate of Construction Issued 19

Water License Issued 19

D Well Information (ESTIMATES)

- (1) Drill Hole, Diameter 27", Depth 300'
- (2) Casing, Type STEEL, Diameter 15", Thickness 3/8"
(wood, concrete, steel, etc.)
- (3) Screen, Type STAINLESS STEEL, Diameter 15", Length 35'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 300'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

- (1) Water Bearing Materials. (Attach a copy of test well log) LOG IS ATTACHED TO

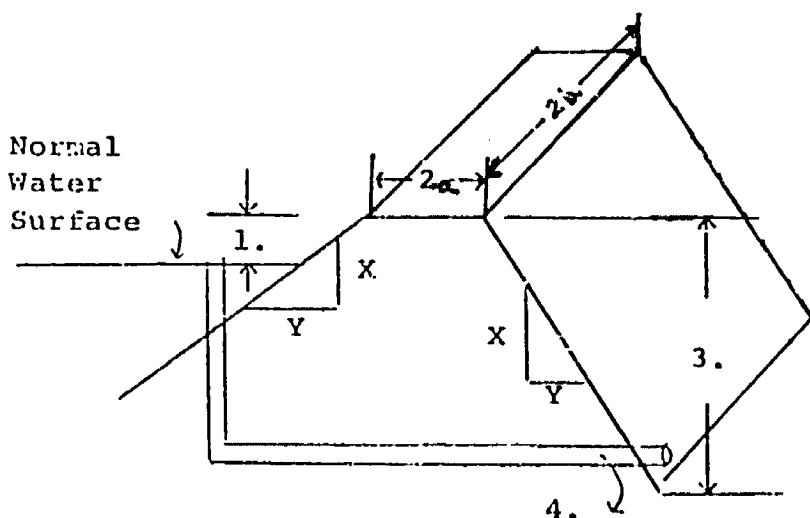
Depth to top of water bearing material _____ } PERMIT # 4448-3
 Depth to bottom of water bearing material _____ } SEE LOG
 Depth to water (ground surface to water level) _____ }

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

On same owner's property 160 rds.
 On property owned by others 180 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



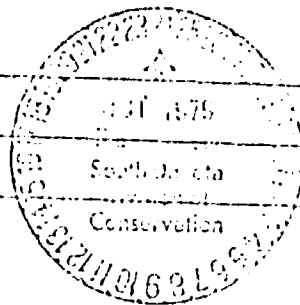
1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
- X & Y slope:
 Upstream _____
 Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

CC 57152107
FORM 81-1

And nothing to copy to Substant
Kapfer

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

NAME John L. Kapfer
ADDRESS 8916 NE 15th Ave., Vancouver, Washington 98665
COUNTY Land to be irrigated is in Campbell County, South Dakota



LEGAL DESCRIPTION

1. WELL LOCATION Center of the West 1/2 of 15-125-76
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4-15-125-76 & SW 1/4-15-125-76

TYPE OF IRRIGATION

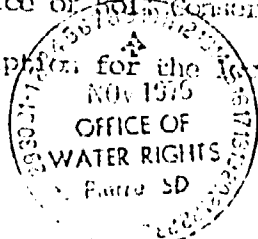
3. GRAVITY TOWLINE CENTER PIVOT X GUN
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Small Grain

WATER QUALITY

5. SAMPLE NUMBER 11-1-110
6. SALINITY (EC X 10⁶) 117.3
7. SODIUM (SAR) 2.77 117.3 / 42.5 = 2.77
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Campbell Co. Conservation District, County Extension office or Soil Conservation Service.

and: that the legal description for the location of the well and land to be irrigated is true and correct.



John L. Kapfer
APPLICANT'S SIGNATURE
Ray, William J. MacIntosh

SUBSCRIBED AND SWORN BEFORE ME THIS
11th DAY OF October 1977.

Ray, William J. MacIntosh
(TITLE OR SEAL)

Ray, William J. MacIntosh
APPROVED/DATE

(SEE REVERSE SIDE FOR INFORMATION ON REVERSE SIDE)

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Willie Sackreiter

107-15-125-75-Campbell

9/24/79

10

Robert Webb

JOB NAME

County
LOCATION

DATE

RIG NO.

FOREMAN

	DEPTH	TIME	REMARKS
1	20		0-20 Yellow sand and gravel
2	30		20-40 Yellow sand and gravel
3	45		40-50 Yellow gravel
4	65		50-65 Blue clay
5	85		65-89 Blue clay
6	105		85-109 Blue clay
7	125		109-129 Blue clay
8	145		129-149 Blue clay
9	165		149-169 Blue clay
10	189		169-189 Blue clay
11	209		189-209 Blue clay, small sand streaks
12	225		209-225 Small sand streaks
13	245		225-245 Small sand streaks-blue clay
14	265		245-265 Blue clay, small sand streaks
15	285		265-275 Blue clay, better streaks
			275-285 Coarse sand, coal
16	305		285-305 Good coarse sand, coal streaks-water loss
17	325	TD	305-310 Good coarse sand, gravel
			310-325 Shale
			This test hole cased to 315 Ft. with 4" Plastic
			60 Ft. Perf.
			Pumps 75 GPM
			Waterhead 69 Ft.
			3,000# gravel

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT John L. Kapfer, Vancouver, Washington

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MAINTENANCE:

1. Water should not be applied more than 11A times during the irrigation season.
 2. Each uninterrupted application (one rotation of center pivot) should be of at least 11A inches of water.
 3. ☒ Yes ☐ No Surface drainage suggested on any flat slope that may tend to pond water.
 4. ☐ Yes ☐ No Subsurface drainage suggested on _____
 5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoil)
- COMMENTS:
6. ☐ Heavy fall application of irrigation water.
 7. Type of irrigation system recommended for use on this application Pivot

GENERAL COMMENTS:

The West 1/3 of the SW1/4-15 has some areas that may exceed the 6% slope requirements for row crops. They are also subject to wind erosion unless kept in grass cover or legumes.

Depending upon the extent of your flat area adjacent to the sandy slopes, it may be justifiable, economically to move soil from the wheel tracks on the steeper areas to make surface drainage slope on the flatter areas.

Copy to applicant
Copy to Water Rights
Copy on File

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Submitted by: John D. Kasper
Address: 2224 19th Ave.
Sioux Falls, S.D. 57105
Co: Huron Drilling, Inc.
P.O. Box 17750

Date Rec'd: Oct 17, 1979
Sample No: 77-552
Identification: 1-11-515
1, 1979, 11, 2, 1979, 76.

WATER ANALYSIS

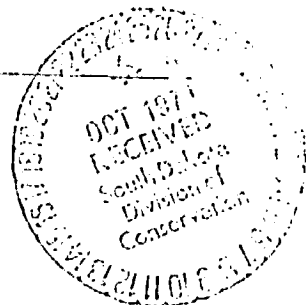
Calcium (Ca)	65	ppm*	4.40	me/l**
Magnesium (Mg)	36	ppm	2.55	me/l
Sodium (Na)	127	ppm	5.50	me/l
Potassium (K)	11	ppm	0.25	me/l
Sulfate (SO ₄)	290	ppm	6.03	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.37	me/l
Bicarbonate (HCO ₃)	444	ppm	7.28	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	364	ppm (as CaCO ₃)		gpg***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1120	micromhos per cm at 25°C.		
Sodium Adsorption Ratio	2.90	Adjusted SAR	7.50	5.11
Sodium	41.95	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.31			

*ppm=parts per million

**me/l=millequivalents per liter

***gpg=grains per gallon

COMMENTS: Total cations 13.16 me/l
Total anions 13.48 me/l



By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	15.00 + 1.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-552

Amount Enclosed \$

Signed

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7828

PIERRE, December 17, 1980

RECEIVED OF Tim VanderVorst, RR 1, Bound City SD

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

Fee for Application for Permit to appropriate Water No. 4448-3A (examination, processing, recording and filing)	150	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	150	00

WATER RIGHTS COMMISSION

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

Publish first publication, on or before January 1, 1981NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 22, 1980

Notice is hereby given that Timothy Leo Vander Vorst whose post office address is Mound City, South Dakota, has made an application 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, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water (one well) through the Vander Vorst Irrigation Well #2, to change the point of diversion on an existing permit of which is to be located in the approximate center of the NW $\frac{1}{4}$

of Section 15, Twp. 125N, Range 76W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW $\frac{1}{4}$, Section 15, T125N, R76W

This Application No. 4448-3A will be considered by the Water Management Board at Meeting Room #1, Knelp Building Church & Illinois, Pierre, SD upon the 28th day of January, 1981

at 10 AM. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DVNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Timothy Leo Vander Vorst
RR #1, Mound City, SD 57646

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7779
GROUNDWATER

No. 4448-3A

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Campbell) ss.

I, James E. Mackay hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Prime Pioneer

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

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

Jan 1, 1980

Jan 8, 1980



James E. Mackay
(Signature)

Owner - Publisher
(Title)

1/19/81

(Date Signed)

Notice of Hearing On
Application of Appropriate Water
Pierre, South Dakota 57501
December 22, 1980

Notice is hereby given that
Timothy Lee Vander Vorst whose
post office address is Mound City,
South Dakota, has made an ap-
plication in accordance with the
provisions of SDCL 46-1-1 through
46-1-9, 46-1-14; 46-2-9 thru 46-2-11,
46-2-13; 46-5-1 thru 46-5-10
thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1,
46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and
Board Order ARSD 52:010101 thru
52:010115, for a permit to ap-
propriate for beneficial use 2.0
cubic feet of water per second of
time from ground water (the well)
through the Vander Vorst Irrigation
Well No. 2, to change the point of
diversion on an existing permit of
which is to be located in the ap-
proximate center of the NW¼ of
Section 15, Twp. 125N, Range 76W.
Said water to be used for the pur-
pose of providing irrigation on por-
tions of the following described
land: NW¼, Section 15, T125N,
R76W.

This Application No. 4448 3A will
be considered by the Water
Management Board at Meeting
Room No. 1, Knapp Building, Church
& Illinois, Pierre, S. Dak., upon the
28th day of January, 1981 at 10 a.m.
The Board is authorized to make a
determination on this application at
the hearing. All interested persons
may appear and be heard. Any per-
son who may be affected by a
Board decision who desires to
present evidence or cross-examine
witnesses according to SDCL 1-26
may notify the Board in writing prior
to the hearing or orally at the
hearing.

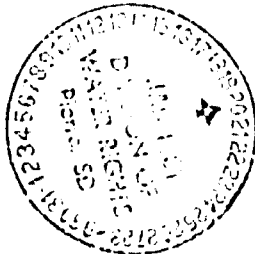
This hearing is an adversary
proceeding. Any person has the
right to be present or to be
represented by a lawyer. These and
other due process rights will be for-
feited if they are not exercised at
the hearing. Decisions of the Board
may be appealed to the Courts as
provided by law.

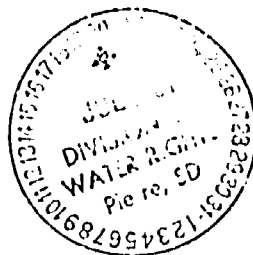
Any handicapped person wishing
to attend this hearing can contact
the Water Rights Division, DWRN,
Joe Foss Building, Pierre, S. Dak.,
prior to the hearing date for
assistance to assure access to the
hearing.

Water Management Board
Retty Westlund

Water Rights Specialist

cc: Timothy Lee Vander Vorst
RR No. 1, Mound City, SD 57448
WNH 806A-779
Groundwater





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

Post Office RR I Mount C. H.

Date 7/17/81

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4448-3A.

Water Right Permit No. 444-3A states that the diversion system is to be constructed by January 31, 1956, and that the water is put to beneficial use by January 31, 1990.

The diversion system was completed on June 4, 1981. Applying the water to beneficial use was completed on June 15, 1981.

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

Timothy Lee Charles Vort
(Signature)

South Dakota
Department of
Water & Natural Resources

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

March 23, 1987

TIMOTHY LEE VANDER VORST
BOX 70
MOUND CITY, SD 57646

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). 4448-3A. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 4448-3A 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

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

April 24, 1987

4448-3A

Timothy Lee Vander Vorst
RR #1 Box 70
Mound City, SD 57646

Dear Mr. Vander Vorst:

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. 4448-3A and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been 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

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

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

January 29, 1988

TIMOTHY LEE VANDER VORST
RR #1 BOX 70
MOUND CITY, SD 57646

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

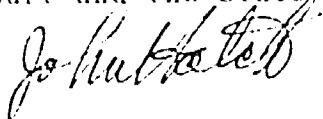
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4448-3A. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given 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). 4448-3A 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 March 2 hearing date, your name will be deleted from the agenda for the hearing.

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

February 10, 1988

4448-3A

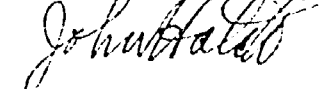
Timothy Vandervorst
Box 70
Mound City SD 57646

Dear Mr. Vandervorst:

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. 4448-3A 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

November 14, 1988

4448-SA

Dale VanderVorst
RR #1 Box 70
Mound City, SD 57646

Dear Mr. VanderVorst:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 4448-3A. The permit is currently listed in the name of Timothy Lee VanderVorst. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water permit will then be transferred to your 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.

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 4448-3A

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Dec 15 1988



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

160 acres - NW $\frac{1}{4}$ Section 15, T125N, R76W

formerly owned by Timothy Lee VanderVorst
has been transferred to Edwin Pile RR 1 Box 70 Mound City, SD 57445
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 4448-3A 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 Walworth) ss.

I, Marie Stiegelmeier 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.

Timothy L. VanderVorst
(Signed)

Subscribed and sworn to before me this 15th Day of December, 1988.

Marie Stiegelmeier
(Notary Public)

My commission expires: 12-20-92

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

Pierre, _____ December 16, 1938

RECEIVED OF Edwin Dale VanderVorst, Box 70, Hound City SD 57646

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 <u>Water Permit No. 4448-7A</u>	2	50
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 Arthur H. Hockley
Chief Engineer

SOUTH Dakota Department of
Water & Natural Resources

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

January 31, 1989

Edwin Dale Vandervorst
Box 70
Mound City, SD 57646

Dear Mr. Vandervorst:

Enclosed is Receipt No. 411543 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 4448-3A.

Our records now show you as the owner of this Water Right.

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352



STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4448-3A

(1) Timothy Lee Vander Vorst of Mound City, SD 57646 made Application No. 4448-3A, December 17, 1980 for a water permit to appropriate 2.00 cubic feet of water per second from groundwater (one well), Campbell County, South Dakota for irrigation purposes. Permit No. 4448-3A, with a priority date of November 9, 1979 was approved January 29, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 29, 1986 and for the application to beneficial use of said water on or before January 19, 1990. The applicable portions of Water Permit No. 4448-3 were incorporated into Water Permit No. 4448-3A. The priority date of November 9, 1979, as established under No. 4448-3, was retained.

Water Permit No. 4448-3A was transferred on December 16, 1988 from Timothy Lee Vander Vorst to Edwin Dale Vander Vorst.

(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 1.89 cubic feet of water per second for beneficial use. The location of the diversion point is 1320 feet south and 1320 feet east of the NW corner of Section 15, T125N, R76W (center of the NW quarter).

(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 132 acres all in Section 15, T125N, R76W

NW 1/4 NW 1/4	33 acres	NE 1/4 NW 1/4	33 acres
SE 1/4 NW 1/4	33 acres	SW 1/4 NW 1/4	33 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Edwin Dale Vander Vorst of RR #1 Box 70, Mound City, SD 57646 the holder and/or owner of Water Permit No. 4448-3A is issued a license to appropriate water, the right to use 1.89 cubic feet of water per second from groundwater (one well) with a priority date of November 9, 1979 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4448-3A and subject to South Dakota State Law.

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

DEC 16 1995
date



Permit No. 4448-3A
MISSOURI River - Water District

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

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

I have this day, 7/18/1995, made a thorough examination of the water use system constructed by TIMOTHY LEE VANDER VORST of RR 1 BOX 70, MOUND CITY SD holder of Permit No. 4448-3A, bearing the priority of NOVEMBER 9, 1979 authorizing the diversion of 2.00 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in CAMPBELL County.

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

A. Works used to divert the water:

A BERKLEY PUMP WITH A 850 gpm CAPACITY

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

20 feet OF 8 inch STEEL PIPE

C. Works used to apply water to beneficial use:

A 1280 foot CENTER PIVOT

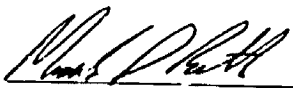
The system is in the following condition GOOD. The point of diversion is located FROM THE NW CORNER OF SECTION 15 T125N-R76W; 1320 feet SOUTH AND 1320 feet EAST. The works are capable of diverting and conveying to the place of use 1.89 cu. ft. per second of which is to be used for IRRIGATION. Water has been put to beneficial use to the maximum extent as follows:

ALL LAND LOCATED IN SECTION 15 T125N-R76W;

NW1/4 NW1/4 - 33 ac NE1/4 NW1/4 - 33 ac SE1/4 NW1/4 - 33 ac SW1/4 NW1/4 - 33 ac
comprising a total of 132 acres of land and the license should be issued for 1.89 cfs.

Applicable permit qualifications have been complied with: YES

Exceptions to compliance are: NONE



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Program

10/4/95
Date

REPORT ON INSPECTION OF PERMIT NO. 4448-3A

DATE OF INSPECTION: 7/18/95

**DIVERSION POINT LEGAL LOCATION: FROM THE NW CORNER OF SECTION 15 T125N-R76W:
1320 feet SOUTH AND 1320 feet EAST**

WELL INFORMATION:

- 1) Well Drilling Firm: HURON DRILLING
- 2) No. of Wells 1
- 3) Depth(s) 302 feet
- 4) Well log is available YES

Casing:

- 1) Diameter 18 inches
- 2) Length 267 feet
- 3) Type PVC

Screen:

- 1) Type STAINLESS STEEL
- 2) Length 35 feet
- 3) Static water level 70 feet

Pump:

- 1) Make BERKLEY
- 2) Model ?
- 3) Size 12
- 4) Capacity 850 GPM

Motor:

- 1) Make US ELECTRICAL
- 2) Model No. T05TP
- 3) Horsepower rating 125 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type STEEL 2) Size 8 inches 3) Length 20 feet

SYSTEM TYPE:

Center pivot:

- 1) Make VALLEY
- 2) Overall length 1280 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) High or low pressure HIGH
- 6) Capacity 850 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate NO
- 2) Comments : MR. VANDER VORST DISCUSSED THE POSSIBILITY OF CHEMIGATING AND ASKED ABOUT THE NEEDED EQUIPMENT. I LEFT A COPY OF THE CHEMIGATION RULES WITH HIM.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) 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

October 6, 1995

4448-3A

Edwin Dale VanderVorst
PP 1, Box 70
Mound City, SD 57646

Dear Mr. VanderVorst:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4448-3A, has been completed. Your final water right document, the Water License, can now be issued.

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

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

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

Sincerely,

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

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

To Whom concerned

I am wondering why
this was never completed
before? I thought these
were all completed 10 yrs
ago.

I have been irrigating
for nearly 15 yrs.

Something seems
wrong. I hope you
get it all straightened
out. Thank you.
Permit No. 4448-3A Dale



[Faint, illegible handwritten text, likely bleed-through from the reverse side of the page.]

4448-3A



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 18 1995

4448-3A

Edwin Dale VanderVorst
PR 1, Box 70
Mound City, SD 57646

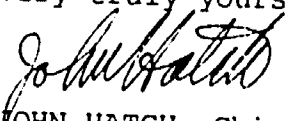
Dear Mr. VanderVorst:

Enclosed is Water License No. 4448-3A. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414640 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. 4448-3A, 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

gm
enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4448-3A
414640

Pierre, _____ October 11, 1995

RECEIVED OF Dale Vander Vorst, RR 1 Box 70, Mound City, SD 57646
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. <u>4448-3A</u>		
Fee for Filing Transfer Form _____	50	00
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	50	00

By _____
Chief Engineer

John H. H. H.



4448-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 9, 1998

3803-3
4448-3A
4705-3

Edwin Dale Vander Vorst
RR 1 Box 70
Mound City, SD 57646

Dear Mr. Vander Vorst:

Thank you for contacting me about the possible sale of your land and transfer of your water rights.

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms. Once the land is sold, the new owner(s) will need to complete the forms and sign them in the presence of a notary. A \$2.50 filing fee is required for each transfer (total of \$7.50).

If you or the new owners(s) have any questions concerning the water rights or with completion of the transfer forms, please get in touch with me.

Sincerely,

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

encl

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4448-3A

Date: 12-14-98

I/We request that Water Right No. 4448-3A

formerly owned by: Edwin Dale VanderVorst

be transferred to: (name & address) Everson Farms 2601 S. Six mile RD
Sioux Falls S.D. 57110 Telephone No. 605-371-2488

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

NW 1/4 Section 15, T125N, R76W

I/We understand that the validity of Water Right No. 4448-3A 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 not.).

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

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

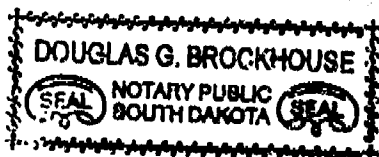
STATE OF SOUTH DAKOTA)

County of MINNEAPOLIS)

I/We Norman Everson 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.

Norman Everson
(Signed)

Subscribed and sworn to before me this 14 day of DECEMBER, 19 98.



Douglas Brockhouse
(Notary Public)

My Commission Expires
May 11, 2004



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
Water Rights Program
South Dakota Department of Environment and Natural Resources

NO 415986

Pierre, _____ December 28, 1938

RECEIVED OF John R. Von Wald (Iverson Farms), P.O. Box 155, Selby, SD 57472
the following amount in fees for services rendered as provided for by law.

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

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

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

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

Fee for Filing Transfer Form Water Right No. 4448-3A

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 500

2 50

By _____
Chief Engineer

John R. Von Wald



4448-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 29, 1998

3803-3
4448-3A
4705-3

Norman Iverson
Iverson Farms
2601 S Six Mile Rd
Sioux Falls, SD 57110

Dear Mr. Iverson:

Thank you for sending in the ownership changes for Water Right Nos. 3803-3, 4448-3A and 4705-3. The transfers have been completed and the water rights formerly owned by Edwin Dale Vander Vorst, are now listed under Iverson Farms.

The receipts for the filing fees are being forwarded to John Von Wald in Selby, SD. If you have any questions concerning the water rights or the transfers, please get in touch with me.

Sincerely,

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

encl

c: John R Von Wald

4448-3A

This is now a
Family Limited Partnership
Address is same

Thank You
Robert Iverson
Manager



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 29, 1999

3803-3
4448-3A
4705-3

Robert Iverson, Manager
Iverson Farms
2601 S Six Mile Rd
Sioux Falls, SD 57110

RE: Family Limited Partnership

Dear Mr. Iverson:

Thank you for the return of the 1999 irrigation questionnaires pertaining to Water Right Nos. 3803-3, 4448-3A and 4705-3. You indicated on the forms that Iverson Farms is now a family limited partnership.

If you wish to have the name changed on the water rights, a "Notice of Transfer of Ownership" form will need to be filed for each water right. Enclosed are partially completed forms. Please review and complete as needed. Each of the forms will need to be signed by a representative of your partnership in the presence of a notary public. A \$2.50 filing fee is required for each transfer (total of \$7.50). The check or money order can be made payable to the "Water Rights Program".

If you do not wish to have the water rights transferred and only wanted to have the correspondence directed to you, you may disregard the transfer forms. Thank you in advance for your help. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4448-3A



Date: 12-7-99

I/We request that Water Right No. 4448-3A

formerly owned by: Iverson Farms

be transferred to: (name & address) Iverson Farms, A Limited Partnership

2nd S. 5th Mile RD Sioux Falls SD 57110 Telephone No. 605-371-2458

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

132 acres - NW 1/4 Section 15, T125N, R76W

I/We understand that the validity of Water Right No. 4448-3A has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

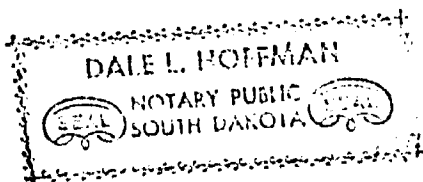
STATE OF SOUTH DAKOTA)

County of Minnehaha)

I/We Robert Iverson 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.

Robert Iverson Iverson Farms A L.P.
(Signed)

Subscribed and sworn to before me this 7th day of December, 19 99.



[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
Water Rights Program
South Dakota Department of Environment and Natural Resources

NC 416307

Pierre, _____ December 20, 1999

RECEIVED OF Iverson Farms, 2601 S. Six Mile Rd., Sioux Falls, SD 57110
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 Right No 9 4448-3A</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



February 7, 2000

4448-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

3803-3
4448-3A
4705-3

Robert Iverson, Manager
Iverson Farms, a Limited Partnership
2601 S Six Mile Rd
Sioux Falls, SD 57110

Dear Mr. Iverson:

Thank you for sending in the transfer of ownership forms and filing fees for transferring Water Right Nos. 3803-3, 4448-3A and 4705-3. The water rights are now listed as "Iverson Farms, a Limited Partnership".

The transfers were completed and effective the day you filed them (December 20, 1999).
Enclosed are your receipts Nos. 416306, 416307 and 416308.

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

Sincerely,

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

enclosures

NOT TO SCALE

298.1

155.8

105

16R

X WELL

15

157.6

11.2

LAND TO BE IRRIGATED

NW $\frac{1}{4}$ - 15 - 125 - 76

LAND TO BE PURCHASED
BY TIMOTHY LEE VANDER UORST

Map drawn by
James Lanable
Co. Est. Agent
Mound City, S.D.
57646

48

125-76

98.1

16R

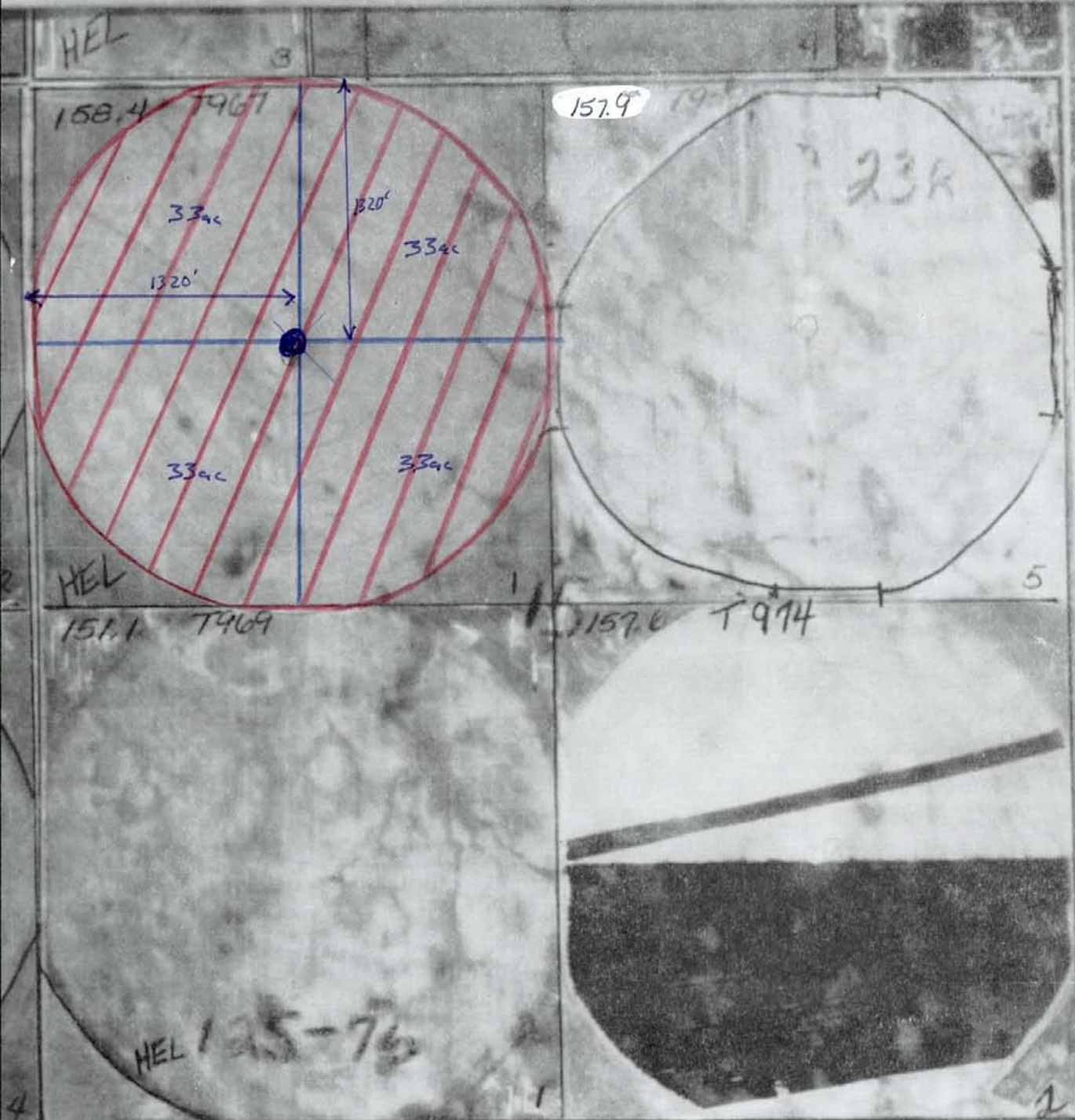
44.0

157.0

9

~~Map 24425A~~ appl. 4448-3A

NOT TO SCALE



Mark D Rath

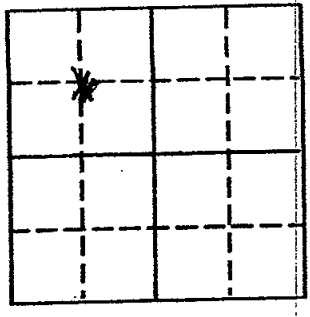
Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 8/9/95

4448-3A

SOUTH DAKOTA WATER WELL COMPLETION REPORT

4448-3A

11-02

Location <u>NW 1/4 NW 1/4 Sec 15 Twp 123N Rg 76W</u> County <u>Campbell</u> Please mark well location with an "X"  Well completion Date <u>8-19-15</u> Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) <u>3000 ft. from Farm yard</u> (Identify source)		Well Owner: <u>Bob Iverson</u> Business Name: <u>Iverson Farms</u> Address 1: _____ Address 2: _____ City, State, Zip: _____ WELL LOG: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">FORMATION</th> <th style="text-align: center;">FROM</th> <th style="text-align: center;">TO</th> </tr> </thead> <tbody> <tr><td>Top Soil</td><td></td><td></td></tr> <tr><td>Yellow clay</td><td></td><td></td></tr> <tr><td>Gravel</td><td style="text-align: center;">10</td><td style="text-align: center;">23</td></tr> <tr><td>Blue clay</td><td style="text-align: center;">23</td><td style="text-align: center;">85</td></tr> <tr><td>Blue clay Till</td><td style="text-align: center;">85</td><td style="text-align: center;">265</td></tr> <tr><td>Fine to med. Sand</td><td style="text-align: center;">265</td><td style="text-align: center;">275</td></tr> <tr><td>Coarse sand</td><td style="text-align: center;">275</td><td style="text-align: center;">285</td></tr> <tr><td>Sand some Gravel</td><td style="text-align: center;">285</td><td style="text-align: center;">297</td></tr> <tr><td>Sandy Till</td><td style="text-align: center;">297</td><td style="text-align: center;">300</td></tr> </tbody> </table>		FORMATION	FROM	TO	Top Soil			Yellow clay			Gravel	10	23	Blue clay	23	85	Blue clay Till	85	265	Fine to med. Sand	265	275	Coarse sand	275	285	Sand some Gravel	285	297	Sandy Till	297	300
FORMATION	FROM	TO																															
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Sandy Till	297	300																															
PROPOSED USE: ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes ☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well METHOD OF DRILLING: <u>Forward Rotary</u> CASING DATA: ☐ Steel ☒ Plastic ☐ Other If other describe _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>PIPEWEIGHT</th> <th>DIAMETER</th> <th>FROM</th> <th>TO</th> <th>HOLE DIAMETER</th> </tr> </thead> <tbody> <tr> <td>LB/FT</td> <td>16 IN</td> <td>2</td> <td>277 FT</td> <td>22 IN</td> </tr> <tr> <td>LB/FT</td> <td>IN</td> <td>FT</td> <td>FT</td> <td>IN</td> </tr> <tr> <td>LB/FT</td> <td>IN</td> <td>FT</td> <td>FT</td> <td>IN</td> </tr> </tbody> </table>		PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER	LB/FT	16 IN	2	277 FT	22 IN	LB/FT	IN	FT	FT	IN	LB/FT	IN	FT	FT	IN	STATIC WATER LEVEL <u>Shale</u> <u>300</u> FEET If flowing: closed in pressure _____ PSI GPM flow _____ through _____ inch pipe Controlled by ☐ Valve ☐ Reducers ☐ Other _____ Reduced flow rate _____ GPM Can well be completely shut in? _____ WELL TEST DATA: ☐ Pumped Describe: <u>Air</u> ☐ Bailed ☒ Other _____ Pumping Level Below Land Surface _____ Ft. After _____ Hrs. pumped _____ GPM _____ Ft. After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM											
PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER																													
LB/FT	16 IN	2	277 FT	22 IN																													
LB/FT	IN	FT	FT	IN																													
LB/FT	IN	FT	FT	IN																													
GROUTING DATA: Grout Type <u>Pontante</u> No. of Sacks <u>140</u> Grout Weight <u>9.8</u> Lb/gal From <u>0</u> Ft. To <u>265</u> Ft. <u>Grout</u> Lb/gal Ft. Ft. Describe grouting procedure <u>Inject line bottom of Hole 265' to surface</u> SCREEN: ☐ Perforated pipe ☒ Manufactured Diameter <u>16</u> inches Length <u>20</u> Feet Material <u>stainless steel</u> Slot Size <u>060</u> Set From <u>277</u> Feet to <u>297</u> 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? ☒ Yes, How? <u>Disinfect</u> ☐ No, Why Not? _____ Lab sample sent to for water quality analysis _____		REMARKS <u>Replacement well</u> <u>GRAND AQUAPON</u> This well was drilled under license # <u>285</u> And this report is true and accurate. Drilling firm: <u>Manikowski Well Drilling, Inc.</u> Signature of License Representative: <u>[Signature]</u> Signature of Well Owner or Equitable Property Holder: _____ Date: _____ 523 E. Capitol Ave., Pierre SD 57501																															

Please return White Copy to DENR Water Rights

RECEIVED
NOV 30 2015
WATER RIGHTS
PROGRAM



4448-3A
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: IVERSON FARMS, A LTD PARTNERSHIP, ROBERT IVERSON, 30856 119TH ST, MOUND CITY, SD 57646 6902

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 3803-3 & 4448-3A 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) 4705-3 qualification:

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

The hearing will be held at **Wednesday, March 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. 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) 4705-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3803-3 & 4448-3A 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 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 questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



4448-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 15, 2017

Brandon Ritter
30489 115th St
Mound City SD 57646

RE: Water Right Nos. 3803-3, 4448-3A & 4705-3 (Iverson Farms)
Water Permit No. 7924-3 (Brandon Ritter)

Dear Mr. Ritter:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017 "Notice" concerning reporting requirements for the above listed water rights and water permit. The information was received in our office prior to the Water Management Board meeting and the issue 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: Iverson Farms



4448-3A

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: BRANDON RITTER, MGR, 30489 115TH ST, MOUND CITY, SD 57646

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 3803-3 & 4448-3A 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) 4705-3, 7924-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4705-3, 7924-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3803-3 & 4448-3A 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 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 questionnaires 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: IVERSON FARMS, A LTD PARTNERSHIP, 30856 119TH ST, MOUND CITY SD 57646

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.

4448-3A



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 2019

3803-3
4448-3A
4705-3
7924-3

Brandon Ritter
30489 115th St
Mound City SD 57646

Dear Mr. Ritter:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 3803-3, 4448-3A, 4705-3 and Water Permit No. 7924-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent than the last name "McMath".

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

c; Iverson Farms, 30856 119th St, Mound City, SD 57646



4448-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: BRANDON RITTER, MGR, 30489 115TH ST, MOUND CITY, SD 57646

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 3803-3 & 4448-3A 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) 4705-3, 7924-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4705-3, 7924-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3803-3 & 4448-3A 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 before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: ATRIBG**

c: IVERSON FARMS, A LTD PARTNERSHIP, 30856 119TH ST, MOUND CITY SD 57646

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.



4448-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 2020

3803-3
4448-3A
4705-3
7924-3

Brandon Ritter
30489 115th St
Mound City SD 57646

Dear Mr. Ritter:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right or Permit Nos. 3803-3, 4448-3A, 4705-3 and 7924-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

c: Iverson Farms



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: BRANDON RITTER, MGR, 30489 115TH ST, MOUND CITY, SD 57646

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 3803-3 & 4448-3A 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) 4705-3, 7924-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 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. 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) 4705-3, 7924-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3803-3 & 4448-3A 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 before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: LSSPIA**

C: IVERSON FARMS, A LTD PARTNERSHIP, 30856 119TH ST, MOUND CITY SD 57646

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.

4448-3A



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SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2021

**NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION
OF WATER PERMIT AND WATER RIGHTS**

TO: Brandon Ritter, 30489 115th St, Mound City SD 57646
Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: One Year Suspension of Water Right or Permit Nos. 4705-3 & 7924-3 and Amendment of
Water Right Nos. 3803-3 & 4448-3A

On March 3, 2021, the Water Management Board ordered:

Effective April 3, 2021, Water Right or Permit Nos. 4705-3 & 7924-3 be suspended for the 2021 irrigation season for failure to submit the 2020 irrigation questionnaires.

If the 2020 irrigation questionnaires are received prior to April 3, 2021, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2021 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2021 unless the 2020 irrigation questionnaires are submitted by April 3, 2021.

After April 3rd, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2020 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 5-6, 2021 in Pierre, SD. The letter should include your reasons for not completing the 2020 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The Water Management Board also amended Water Right Nos. 3803-3 & 4448-3A to include the following qualification:

- **"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."**

March 4th
Brandon Ritter
Iverson Farms
Page 2

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

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

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

Certification

I hereby certify that on March 4, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 4, 2021 regarding Water Management Board action taken March 3, 2021 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536
 No. 4332-3: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

One Year Suspensions:

No. 515-3: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
 Daniel Benson, 45586 US Hwy 18, Hurley SD 57036
 No. 577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758
 No. 5524-3: Wade & Todd Druin, 30911 457th Ave, Volin SD 57072-6322
 No. 1554A-1: Franklin Dyck, 313 Pierre St, Vale SD 57788
 No. 1935-1: Brian Dyck, 313 Pierre St, Vale SD 57788
 No. 2675-3: Beau Gregg, 22289 Mint Rd, Harrold SD 57536
 Nos. 6822-3, 8070-3 & 8071-3: Roger Hansen, Hansen Properties, PO Box B, Centerville SD 57014
 No. 1150-2: O M Iwan & Sons, 24912 Rocky Ford Rd, Midland SD 57552
 Nos. 4678-3 & 6960-3: Craig Jepsen, Jepsen Farms, 505 Larson St SW, Hutchinson MN 55350-2108
 Nos. 5566-3, 7615-3 & 7616-3: Wayne Reiersen, 30048 Reiersen Pl, Pollock SD 57648
 No. 2350-3: Bill Boyer, River View Farms, PO Box 486, Alcester SD 57001-0486
 No. 2497-2: Marty Vanderploeg, 22958 293rd St., Martin SD 57551

Three Year Suspensions:

No. 4472-3: Darrel Biddle, 37461 287th St, Geddes SD 57342
 No. 7970-3: David Hoops, PO Box 462, Huron SD 57350-0462

Suspend/Amend

Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3, 974-3 & 1813-3:
 • Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014

Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

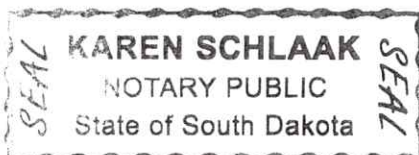
- Brandon Ritter, 30489 115th St, Mound City SD 57646
- Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646

Vickie Maberry
 Vickie Maberry
 Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 4th day of March, 2021.

Karen Schlaak
 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2025



4448-3A



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 23, 2021

Brandon Ritter
30489 115th St
Mound City SD 57646

RE: Water Right/Permit Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

Dear Mr. Ritter:

On March 3, 2021, the Water Management Board ordered Water Right No. 4705-3 and Water Permit No. 7924-3 suspended if the 2020 irrigation questionnaires were not received prior to April 3, 2021.

The Board also amended Nos. 3803-3 and 4448-3A for non-return of the 2020 questionnaires. The amendments took affect March 3rd. The questionnaire information for all the above listed water right and permit numbers was received March 22, 2021.

Since the irrigation questionnaires are on file, no violations have occurred, and the suspensions for Nos. 4705-3 and 7924-3 will not take place. You may irrigate during the 2021 irrigation season.

If you have any questions, please contact us.

Sincerely,

A handwritten signature in blue ink that reads 'Genny McMath'.

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

4448A-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: BRANDON RITTER, 30489 115TH ST, MOUND CITY, SD 57646

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4705-3, 7924-3, 3803-3 & 4448-3A. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4705-3, 7924-3, 3803-3 & 4448-3A qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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. 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) 4705-3, 7924-3, 3803-3 & 4448-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** 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: <https://danr.sd.gov/iq> using this password: ERLHXA**

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.



4448A-3
**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 3, 2022

Brandon Ritter
30489 115th St
Mound City SD 57646

RE: Water Right Nos. 3803-3, 4448-3A, 4705-3 and 7924-3

Dear Mr. Ritter:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 3803-3, 4448-3A, 4705-3 and 7924-3. The information was received in our office prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: BRANDON RITTER, 30489 115TH ST, MOUND CITY, SD 57646

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4705-3, 7924-3, 3803-3 & 4448-3A. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4705-3, 7924-3, 3803-3 & 4448-3A qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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. 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) 4705-3, 7924-3, 3803-3 & 4448-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** 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: <https://danr.sd.gov/iq> using this password: VTHLZV**

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.

4448-3A



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 23, 2023

Brandon Ritter
30489 115th St
Mound City SD 57646

RE: Water Right/Permit Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

Dear Mr. Ritter:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right/Permit Nos. 4705-3, 7924-3, 3803-3 & 4448-3A. 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
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: BRANDON RITTER, 30489 115TH ST, MOUND CITY, SD 57646

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4705-3, 7924-3, 3803-3 & 4448-3A. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4705-3, 7924-3, 3803-3 & 4448-3A qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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. 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) 4705-3, 7924-3, 3803-3 & 4448-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PRLXYU**

cc: IVERSON FARMS, A LTD PARTNERSHIP, 30856 119TH ST, MOUND CITY SD 57646

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 AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

3803-3

4448-3A

4705-3

Brandon Ritter
30489 115th St
Mound City SD 57646

Dear Mr. Ritter:

This letter is intended to follow up on our recent conversation regarding the need to transfer ownership of Water Right Nos. 3803-3, 4448-3A, and 4705-3, from Iverson Farms LTD to yourself.

As discussed, SDCL 46-5-34 states that irrigation rights are appurtenant to the land. Therefore, regardless of the well location that services the irrigated acreage, if you own the lands described in the water right, the water right should be transferred to you.

For your convenience I have enclosed partially completed "Notice of Transfer of Ownership" forms for all three of the above listed water rights, as well as copies of the original licenses for each. Please complete the highlighted portions of each form and return them in the pre-paid envelope with a check in the amount of \$150.00, made payable to SD Water Rights. If you wish to submit payment over the phone, you may do so by calling our Fiscal Office at (605) 773-5559.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2025

3803-3, 4448-3A
4705-3, 7924-3

Brandon Ritter
30489 115th St
Mound City SD 57646

Dear Mr. Ritter:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 3803-3, 4448-3A, 4705-3 & 7924-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

cc: IVERSON FARMS, A LTD PARTNERSHIP, 30856 119TH ST, MOUND CITY SD 57646

RECEIVED

FEB 06 2025

OFFICE OF
WATER**NOTICE OF TRANSFER OF OWNERSHIP**

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182Water Right/Permit No. 4448-3ADate: 2/3/2025I/We request that Water Right/Permit No. 4448-3A formerly owned by:
Iverson Farms LTD - Mound City SD be transferred to:New Owner Name: Brandon Ritter
Address: 30489 115th St. mobile: 605-380-0022
City, State, Zip Mound City, SD 57646 email: brritter@valleytel.net

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

Section 15-T125N-R76W
NW 1/4 - 132 ac☒ I understand that the validity of Water Right/Permit No. 4448-3A has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.I, Brandon Ritter, the new owner, certify that the above information is true and correct.Brandon Ritter

(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

PAID

FEB 06 2025

Ck# 2861

Rec't# _____

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date February 10th 2025

RECEIVED OF Brandon Ritter 30489 115th St Mound City SD 57646

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 #3803-3 #4448-3A #4705-3	\$ <u>150.00</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>150.00</u>

By

Eric

Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 10, 2025

3803-3
4448-3A
4705-3

Brandon Ritter
30489 115th St
Mound City SD 57646

Dear Mr. Ritter:

I have received your "Notice of Transfer of Ownership" forms and the required fees for Water Right Nos. 3803-3, 4448-3A & 4705-3. Enclosed is a receipt of payment for your records.

Water Right Nos. 3803-3, 4448-3A & 4705-3, previously owned by Iverson Farms LTD, are now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the licenses, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right Nos. 3803-3, 4448-3A & 4705-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure



3803-3
4448-3A
4705-3

7924-3
8939-3
8940-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: BRANDON RITTER, 30489 115TH ST, MOUND CITY, SD 57646

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3803-3, 4448-3A, 4705-3, 7924-3, 8939-3 & 8940-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3803-3, 4448-3A, 4705-3, 7924-3, 8939-3 & 8940-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 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. 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) 3803-3, 4448-3A, 4705-3, 7924-3, 8939-3 & 8940-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SRTHOZ**

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.