

Vern
10170102

Water Right No. 4551-3

1. Considered Nov. 19 1980
2. Name of Applicant DENNIS & DARRELL NELSON
3. Post Office Address Box 307 - RR 2 - YANKTON 57078
4. Amount of Water Claimed 2.0
5. Source of Water Supply 180' WELL
6. Water to be used for IRR.
7. Acres to be irrigated 14.0 maximum acre feet
8. Water to be diverted and used in YANKTON County
about 2 1/2 N, 4 miles WEST of VOLIN
9. PROOF OF PUBLICATION Received 11-3-80

Not Received

APPLICATION

Approved 11-19-80

Subject to WTE - I & G

Not Approved

Action deferred

Priority

Date

Received 8-25-80 Application Complete (yes) no FEE 250.00

8/25/80

Remarks

Date information and/or

fee or corrected Application received

Period of Annual use APRIL - NOV. 1ST

WATER
QUALITY

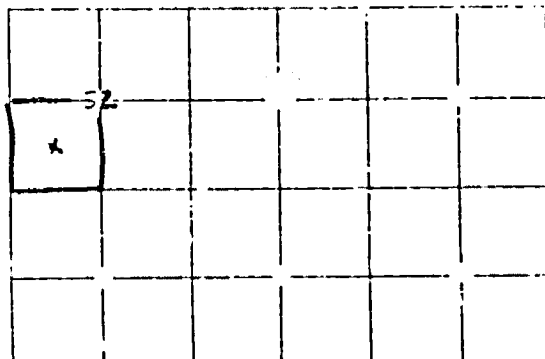
Received yes 9/18/80 no APPROVED (CONDITIONAL) (Circle one)

WI-1 Description same as application (yes) no Remarks

Disapproved

Returned

Diversion Point



approximate center of
SW 4 Sec. 32 - T95N-R54W

Lands to be irrigated

SW 4 Sec. 32 - T95N-R54W

WELL

Remarks

Driller Christensen Well Co. licensed (yes) no

Depth 180' deep

Water Right No 4551-3

MAP

Map No. 3770-3 Map located in Water Right X Map file _____
Type of Map Aerial Prepared by Co. Agent - Vanier Miller

+++++

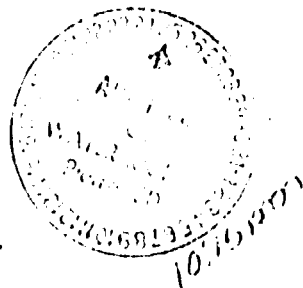
REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov 19, 1980.
Betty Wealmer
(Signed)

+++++

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 was adopted _____
ETC.

Remarks _____



No. 4551-3
 Map No. 3770-3 Water Division No. 3 VERMILLION District 10170102
 Above for Office Use RIVER

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

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant DENNIS & DARRELL NELSON Phone No. 665-7216
 Post Office Address Box 307 RR2 YANKTON State S.D. 57178
(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) CONTRACT
3. Name of diversion work DENNIS & DARRELL NELSON No. 1
4. Amount of water claimed (cubic feet per second) 2.5 2.0 MAX. ALLOWABLE
5. Source of water supply WELL
6. Location of point of diversion Center of SW 1/4 32 95-54

County YANKTON

7. Annual period or periods during which water is to be used APRIL - NOV 1
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
9. For irrigation use, Total number of acres to be irrigated 140

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>SW 1/4 32 95-54</u>	<u>140</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 _____ years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water PRESS & DAUGHTON-YANKTON

12. Principal Features of the Proposed Water Supply System

A. Works proposed to divert water from its natural source

WELL & PIPE

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

PIPE

C. Works proposed to apply water to beneficial use.

PIVOT TYPE IRRIGATION SYSTEMEstimated Total Cost \$ 65,000

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 _____) ss.

I, Darrell Nelson 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 Darrell NelsonSubscribed and sworn to before me this 21 day of August, 1980Elaine Denson

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4551-3

DENNIS E. DARRELL NELSON Box 307 - R.R. #2 - YANKTON
(Applicant) (Post Office Address)
SOUTH DAKOTA 57078 With the following qualifications.
(State)

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

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

Date of first receipt of application August 25, 1980
Date of return to applicant for correction, amendments or changes required , 19
Date of receipt of corrected application WQ September 18, 1980
Approved November 19, 1980, Recorded in Book 21 Page 298

WATER RIGHT PERMIT NO. 4551-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4551-3 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 August 25, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 19, 1983
3. The whole of said work is to be completed on or before November 19, 1985
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is November 19, 1985
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 November 19, 1985, said water to be used during the following described annual period April to November 1st

Witness my hand this 2nd day of December, 1980

THE BOARD OF WATER MANAGEMENT

By: John Patch
Chief Engineer, Water Rights
JOHN PATCH

Certificate of Construction Issued , 19

STATE 5007094 KOTA DATE 5/1/1950

STATE DEPARTMENT OF MINES

STONE SHALE GRAVEL SAND CLAY

FT.	FT.			
0	40	PEBBLES	++	YELLOW X
40	54	COURSE		1.2 ROCKS
54	55	HARD FORMATION		
55	76	MED		X + X
76	80	BLUE		X
80	83	MED		X X
83	86	BLUE		X
86	93	CLAY + GRAVEL		with
93	180	COURSE		X

SEND SAMPLES TO JOHNSON
P. O. BOX 3118
ST. PAUL, MINNESOTA 55165
FOR FREE ANALYSIS

STATIC WATER LEVEL	657070
--------------------	--------

AQUIFER THICKNESS

SCREEN LENGTH

SLOT SIZE

FITTING - TOP

FITTING - BOTTOM

CHRISTENSEN WELL CO

TOTAL DEPTH

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

D Well Information

- (1) Drill Hole, Diameter 20", Depth 200'
 (2) Casing, Type PLASTIC, Diameter 16", Thickness 5/8"
 (wood, concrete, steel, etc)
 (3) Screen, Type SLOTTED PLASTIC, Diameter 16", Length 60'
 (4) Gravel Pack, Thickness 4", Length of gravel pack 200'

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)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

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

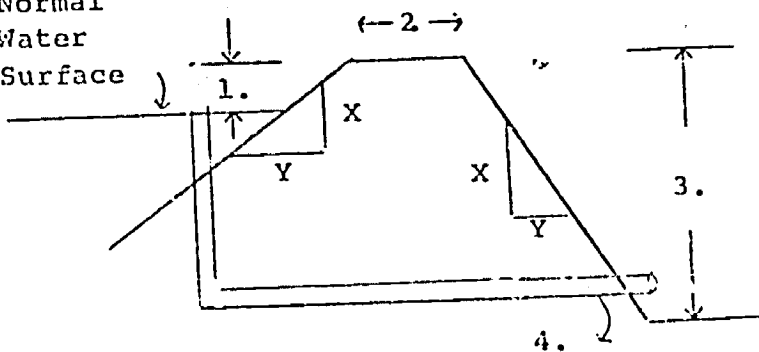
On same owner's property 95 rds.

On property owned by others ~~3~~ 160 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.

Normal
Water
Surface



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

Daniel Nelson
 Signature of Applicant

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNERS NAME: DENNIS & DARRELL NELSON OWNERS ADDRESS: YANKTON, SD
COUNTY LAND LOCATED IN: YANKTON Co. PHONE: 605-7216 Box 307 S.D. 57078
EQUITY NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

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

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

WELL LOCATION OR DIVERSION POINT: CENTER OF SW 1/4 32 95-54

SURFACE WATER SOURCE: WELL ONLY

LOCATION OF AREA TO BE IRRIGATED: SW 1/4 32 95-54

INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____

CROPS TO BE IRRIGATED: Corn - alfalfa - soybeans

SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:

LAND: NONE

IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

SAMPLE NUMBER: 80-681

SALINITY (EC X 10⁶): 12.60

SODIUM (SAR) 0.30 ADJUSTED (SAR) 0.30 5%

RECEIVED

SEP 05 1980

South Dakota
Department of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 4:00 P.M., on 8/1, 1980, at the following location: Center of SW 1/4 32 - 95-54

Dennis & Darrell Nelson (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

31 DAY OF August, 1980.

Elaine Luman
(NOTARY PUBLIC)

Darrell Nelson
APPLICANT'S SIGNATURE

Keith L. Harner
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT Dennis & Darrell Nelson

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

Wd - Worthing Silty Clay loam --- about 10 acres in north center.

RECOMMENDED MANAGEMENT:

Water should not be applied more than 3 to 4 times during the irrigation season. Each uninterrupted application (one rotation of center pivot) should be of at least 2-4 inches of water.

Surface drainage or land shaping suggested on any area that tends to pond water. Deep tillage may be beneficial with occasional use on the heavier soil types.

Heavy fall application of irrigation water should be coordinated with deep tillage.

Irrigation, followed by rainfall is going to cause ponding problems in certain years.

It may be economically feasible to concentrate your low lying area or areas to an excavated pit or sump, which in turn may be utilized as a re-use water supply to pass through your system. Water accumulations may be either from irrigation runoff or from rainfall or both.

No. 4551-3

Publish first publication, on or before October 24, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 6, 1980

Notice is hereby given that Dennis & Darrell Nelson whose post office

address is Yankton, 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 groundwater

(one well) through the Dennis & Darrell Nelson #1, the point(s) of diversion of which is(are) to be located in the approximate center of the SW1

of Section 32, Twp. 95N, Range 54W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW1/4 Section 32, T95N, R54W

This Application No. 4551-3 will be considered by the Water Management Board at

Karl Hundt Library Hearing Room, Madison SD upon the 15th day of November, 1980

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 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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Dennis & Darrell Nelson

RR #2, Box 307

Yankton SD 57078

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

ALFRED WESTLUND

Water Rights Specialist

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

No. 4551-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yankton) ss.

I, Larry Benson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Yankton Daily Press & Dakotan

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

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

October 23, 1980

October 30, 1980

Larry A Benson
(Signature)

Business Manager
(Title)

10-31-80

(Date Signed)

10+23 & 30
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Notice is hereby given that Dennis and Darrell Nelson whose post office address is Yankton, 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; 46-3-1 thru 46-3-4; 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 of Water Control ARSD 52:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from groundwater (one well) through the Dennis and Darrell Nelson No. 1, the point of diversion of which is to be located in the approximate center of the SW 1/4 of Section 32, Twp. 96N, Range 54W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4, Section 32, T96N, R54W.

This Application No. 4551-3 will be considered by the Water Management Board at Dakota State College, Karl Mundt Library Meeting Room, Madison, SD upon the 19th day of November, 1980 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 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, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7658

PIERRE,

August 25, 1980

RECEIVED OF Darrell Nelson, Rt. 2, Box 307, Yankton, SD 57078

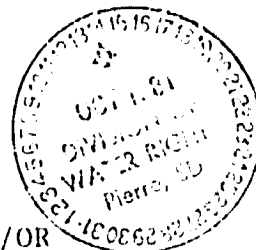
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4551-3 (examination, processing, recording and filing) -----	250.	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.-----		
Fee for Inspecting Beneficial Use, and Issuing Water License No.-----		
Fee for Issuing Location Certificate-Dry Draw, No.-----		
Fee for filling -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for -----		
(any other work as provided by law)		
TOTAL	200.	00

WATER RIGHTS COMMISSION

By

(John Hatch)
Chief Engineer, Executive Officer
JOHN HATCH / (Lt)



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

Post Office Harveston, S.D.
Date Oct 10, 1981

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.

4551-3

Water Right Permit No. 4551-3 states that the diversion system is to be constructed by 11-19-87, and that the water is put to beneficial use by 11-19-85.

The diversion system was completed on 5-1-81. Applying the water to beneficial use was completed on 5-4-81.

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.

Samuel Weber
(Signature)



Department of Water & Natural Resources

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

February 17, 1989

Dennis & Darrell Nelson
RR 2, Box 102
Yankton, SD 57078

Dear Mr. Nelson:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

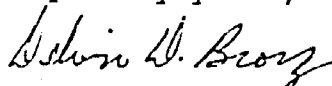


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3252).

Very truly yours,



 JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4551-3

(1) Dennis & Darrell Nelson of RR 2 Box 102, Yankton, SD 57078 made Application No. 4551-3, August 25, 1980 for a water permit to appropriate 2.00 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 4551-3, with a priority date of August 25, 1980 was approved November 19, 1980 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before November 19, 1985 and for the application to beneficial use of said water on or before November 19, 1985.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1900 feet N44°E of the SW corner of Section 32, T95N, R54W (approximate center of the SW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: **all in Section 32, T95N, R54W**

NE 1/4 SW 1/4	32 acres
NW 1/4 SW 1/4	35 acres
SW 1/4 SW 1/4	35 acres
SE 1/4 SW 1/4	38 acres
	140 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dennis & Darrell Nelson of RR #2 Box 102, Yankton, SD 57078 the holders and/or owners of Water Permit No. 4551-3 are issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well) with a priority date of August 25, 1980 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. 4551-3 and subject to South Dakota State Law.

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

JUL 2 1996
Date



Permit No. 4551-3
Missouri River - Water District

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

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

I have this day, (September 29, 1993), made a thorough examination of the water use system constructed by Dennis and Darrell Nelson of Yankton, SD holder of Permit No. 4551-3, bearing the priority of August 25, 1980 authorizing the diversion of 2.0 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

- A. Works used to divert the water:
Water is diverted from a well 160 feet deep, located 1900' N44°E of the SW corner of Sec. 32, T95N-R54W, with a Fairbanks Morse, 12 inch diameter, 4 stage, turbine pump, (Serial No. N3H281372.), powered by a General Electric 75 horsepower, electric motor (Model No. 5k6255XM501C, Serial No. CTJ 304324).
- B. Works used to transport water to place of use:
Water is transported through 20 feet of 8-inch diameter Alluminum pipe from the well to the center pivot irrigation system.
- C. Works used to apply water to beneficial use:
Water is applied to beneficial use through a low pressure, 8 tower plus corner system, Lindsey Zimmatic center pivot (Model No. 307 410, Serial No. L13118). The system is 1320 feet long, and has a 178.5 feet long corner system. The system has a Nelson 100 end gun, and the corner system has a Nelson 150 end gun.

The system is in the following condition good. The point of diversion is located 1900 feet N44°E of the SW corner of Sec. 32, T95N-R54W. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>NE 1/4 SW 1/4 Sec. 32, T95N-R54W</u>	<u>32 acres</u>
<u>NW 1/4 SW 1/4 Sec. 32, T95N-R54W</u>	<u>35 acres</u>
<u>SW 1/4 SW 1/4 Sec. 32, T95N-R54W</u>	<u>35 acres</u>
<u>SE 1/4 SW 1/4 Sec. 32, T95N-R54W</u>	<u>38 acres</u>

comprising a total of 140 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are:

Date: January 11, 1994



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4551-3

DATE: January 11, 1994

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: 1900 feet, North 44 degrees East of the South West Corner of Section 32, T95N-R54W

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells one
- 3) Depth(s) 160 feet
- 4) Well log is available Y/N
- 5) Comment: Connected Mike Wetmore, Log not available

Casing:

- 1) Diameter 16 inches
- 2) Length 100 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 60 feet
- 3) Static water level 75 feet

Pump:

- 1) Make Fairbanks Morse
- 2) Serial No. N3H2813722
- 3) Size 12" diameter, 4 stage, Impeller Diameter 8.73
- 4) Capacity 800 GPM; Pressure 55 psi

Motor:

- 1) Make General Electric
- 2) Model No. 5K6255XM501C, Serial No. CTJ 304324
- 3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

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

SYSTEM TYPE:

Center pivot:

- 1) Make Lindsey Zimatic, Type 9, MN 307 410, SN L13118 (radio controlled)
- 2) Overall length 1320 feet, plus Corner System length 178.5 feet
- 3) Number of towers 8 plus 1 tower corner system
- 4) Distance between towers 126 feet between Pvt and tower #1, and 1-2, 178 feet between rest
- 5) End gun Y/N: Nelson 100 end gun on system, Nelson 150 end gun on Corner System
- 6) High or low pressure Low (55 psi on pivot with no end gun, 50 psi on pivot with end gun, psi on corner only)
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N
- 2) Main line check valve Y/N
- 3) Inspection port/air relief Y/N
- 4) Low pressure drain Y/N
- 5) Discharge is 20' from source Y/N
- 6) Interlock type Electric
- 7) Injection pump type Piston Pump (TXT Injection Pump)
- 8) Injection check valve Y/N
- 9) Injection line check valve or positive displacement pump Y/N
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y/N
- 11) Comments :

PERMIT QUALIFICATIONS AND REGULATIONS:

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



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

April 30, 1996

Dennis and Darrell Nelson
RR 2, Box 102
Yankton, SD 57078

4551-3

Dear Sirs:

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. 4551-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

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.



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

4551-3

Dennis and Darrell Nelson
RR 2, Box 102
Yankton, SD 57078

Dear Sirs:

Enclosed is Water License No. 4551-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414957 in the amount of \$50.00 which you paid for the investigation 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. 4551-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4551-
414957

Pierre, _____ May 13, 19 96

RECEIVED OF Morris Nelson Farm, RR 2, Box 102, Yankton, SD 57078

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>4551-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

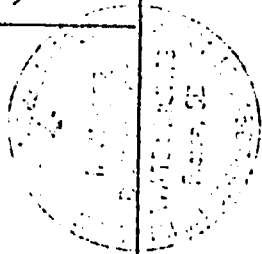
(Any Other Work Provided by Law)	Total	50 00

By

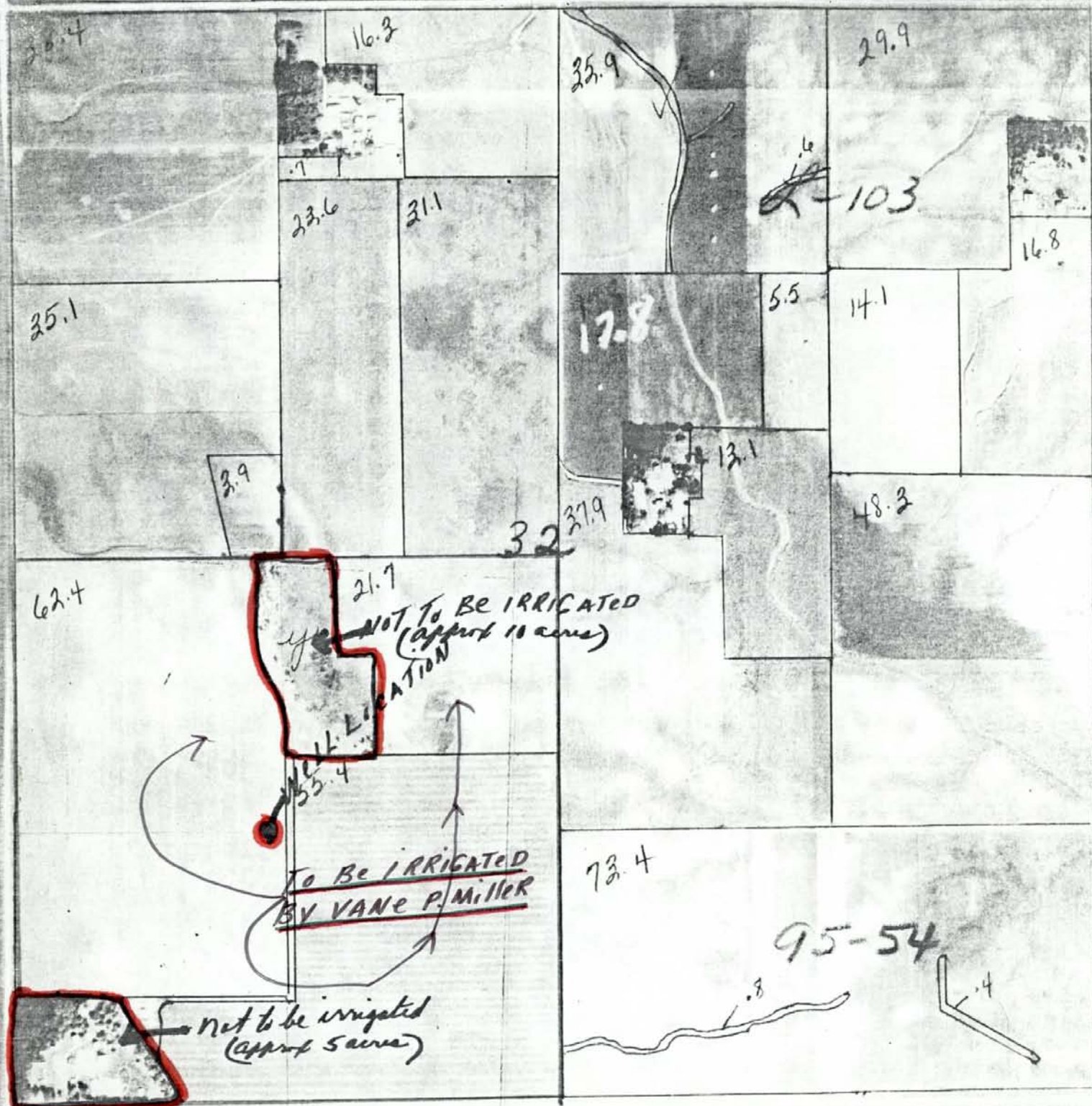
Chief Engineer

John H. Hatcher (P)

1-10-82
Date



NOT TO SCALE

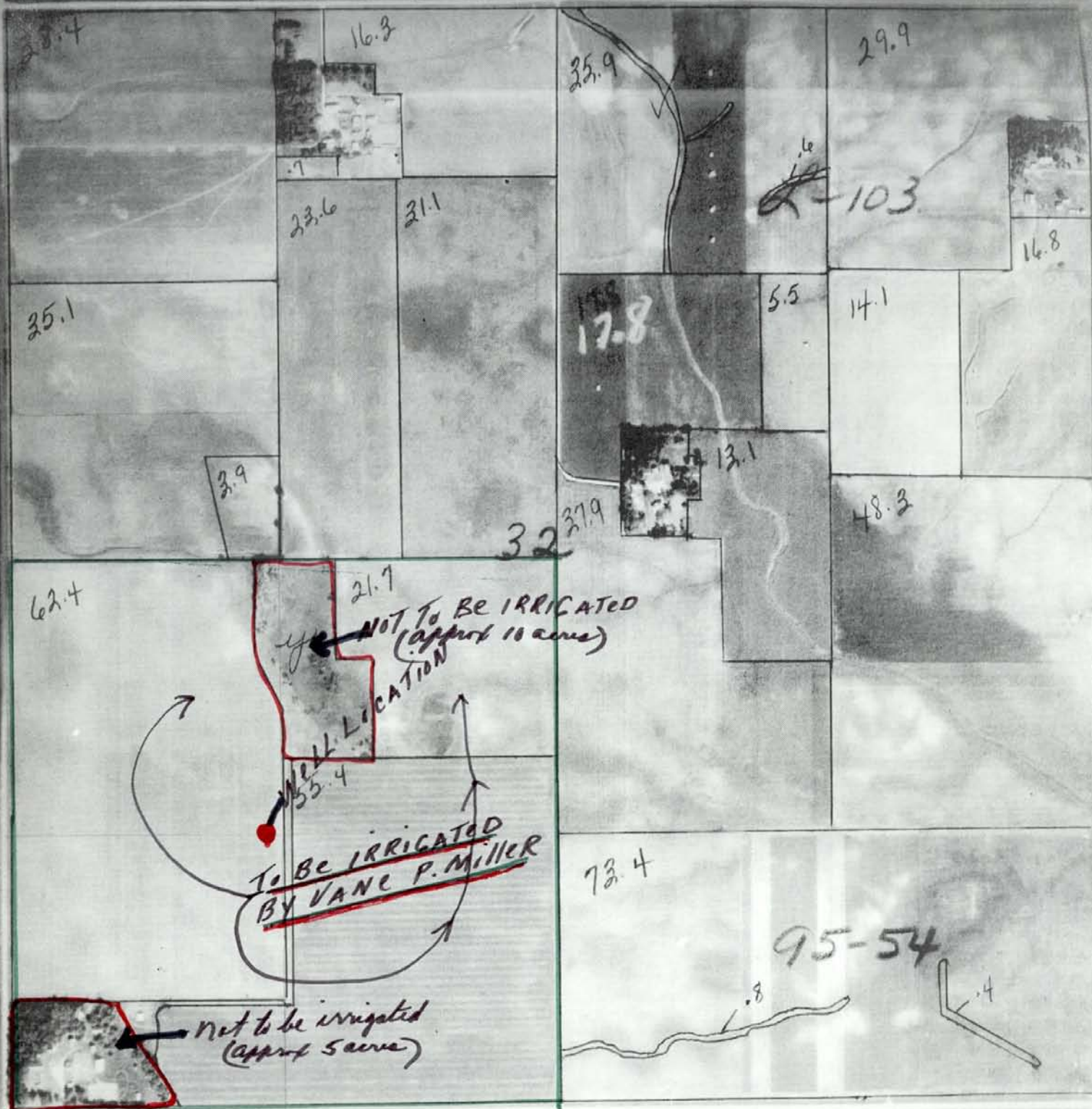


copy

map 8703

april 4551-3

NIT TO SCALE



Orig.

DEPT #37103 April 4551-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 2005

4551-3

Dennis & Darrell Nelson
44023 306th St
Yankton SD 57078

Dear Sirs:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. I am returning the form for No. 4551-3 to you for completion. In order for the questionnaire to be considered complete, the back side also needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day the system(s) was running. The information is important to us in calculating how much water was used from a specific source.

Please complete and return the form to us by **January 6, 2006**. Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

RECEIVED

DEC 27 2005

**WATER RIGHTS
PROGRAM**

enclosure



4551-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: NELSON FAMILY PARTNERSHIP, DARRELL NELSON, 44023 306TH ST, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

4551-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 27, 2015

Darrell Nelson
Nelson Family Partnership
44023 306th St
Yankton SD 57078

RE: Irrigation Questionnaires for Permit or Right Nos. 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3

Dear Mr. Nelson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for the above listed Water Permits and Water Rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4351-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: NELSON FAMILY PARTNERSHIP, DARRELL NELSON, 44023 306TH ST, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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.



4551-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 26, 2016

Darrell Nelson
44023 306th St
Yankton SD 57078

RE: Water Right or Permit Nos. 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3 & 7972-3

Dear Mr. Nelson:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires for the above listed water permits and water rights. You may disregard the January 15, 2016, "Notice" concerning reporting requirements. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

With respect to the ownership changes needed, I have enclosed partially completed transfer forms for use in filing the ownership changes. Copies of the corresponding water rights and permit are also included. Please review the forms and make any necessary corrections. Upon completion, the forms need to be signed and returned to our office with a required filing fee of \$50.00 each (total of \$300). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

Enclosures: Transfer forms & copies of Water Right Nos. 3369B-3, 4251-3, 4443-3, 2600A-3, 5414-3 and Water Permit No. 7199-3.



4551-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: NELSON FAMILY PARTNERSHIP, DARRELL NELSON, 44023 306TH ST, YANKTON, SD 57078

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) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 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) 2600A-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office 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: VTCLLD**

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.



4551-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 2020

Darrell Nelson
Nelson Family Partnership
44023 306th St
Yankton SD 57078

RE: Water Right/Permit Nos. 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6178-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3

Dear Mr. Nelson:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for the above listed water rights and permits. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**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: DARRELL & DENNIS NELSON, 44023 306TH ST, YANKTON, SD 57078 6008

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 1661-3, 3369B-3, 4251-3 & 4443-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2600A-3, 4551-3, 5414-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 qualification:

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

The hearing will be held on **Wednesday, March 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) 2600A-3, 4551-3, 5414-3, 6704-3, 6756-3 & 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1661-3, 3369B-3, 4251-3 & 4443-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office 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 questionnaires 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: URZTFB**

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

1661-3, 2600A-3, 3369B-3, 4251-3,
4443-3, 4551-3, 5414-3, 6704-3,
6756-3, 7138-3, 7199-3,
7544-3, 7972-3 & 8348-3

Nelson Farms Inc
44023 306th St
Yankton SD 57078

Dear Mr. Nelson:

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). 1661-3, 2600A-3, 3369B-3, 4251-3, 4443-3, 4551-3, 5414-3, 6704-3, 6756-3, 7138-3, 7199-3, 7544-3, 7972-3 & 8348-3. 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