

1. Considered 5-1 1981
2. Name of Applicant EDWIN DALE VANDER VORST
3. Post Office Address Box 35 RR. MOUND CITY 57646
4. Amount of Water Claimed NO ADD'L
5. Source of Water Supply 310' EXISTING ON # 4310-3
6. Water to be used for IRR.
7. Acres to be irrigated 160 maximum acre feet
8. Water to be diverted and used in CAMBELL County about 5 1/2 miles EAST of MOUND CITY
9. PROOF OF PUBLICATION Received 5-1-81

Not Received \_\_\_\_\_

APPLICATION

Approved \_\_\_\_\_

Subject to \_\_\_\_\_

Not Approved \_\_\_\_\_

Action deferred \_\_\_\_\_

Priority Date  
Received 4-2-81 Application Complete yes \_\_\_\_\_ no \_\_\_\_\_ FEE 250.00

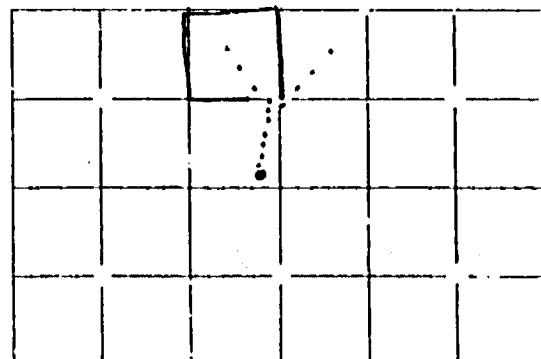
Remarks ADD ADD'L ACREAGE, WILL ALTERNATE

Date information and/or  
fee or corrected Application received  
Period of Annual use MAY 1<sup>ST</sup> to NOVEMBER 1<sup>ST</sup>

WATER  
QUALITYReceived yes 4/10/81 no \_\_\_\_\_ APPROVED CONDITIONAL (Circle one)W-1 Description same as application yes yes no \_\_\_\_\_ Remarks \_\_\_\_\_

Disapproved \_\_\_\_\_

Returned \_\_\_\_\_



Diversion Point \_\_\_\_\_

SE<sup>4</sup> SW<sup>4</sup> 10-125-76

Lands to be irrigated \_\_\_\_\_

NW<sup>4</sup> 10-125-76WELL  
LOG

Remarks \_\_\_\_\_

Driller Sturman Dr. Licensed yes no \_\_\_\_\_Depth 310' deep

MAP Map No. 3915-3 Map located in Water Right X Map file \_\_\_\_\_

Type of Map Aerial Prepared by Co. E. J. Agent  
Kanab

+++++

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 5-1-81.

Betty W. W. W.  
(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. 4705-3  
 Map No. 3A15-3 Water Division No. 3 MISSOURI RIVER District  
 Above for Office Use

## 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 X ON PERMIT # 4310-3 3596

1. Name of Applicant EDWIN DALE VANDER VORST Phone No. 955-3576  
 Post Office Address R.R. MOUND CITY State S.D.  
(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 #24. Amount of water claimed (cubic feet per second) NONE \* SEE NOTE BELOW NO ADD'L5. Source of water supply VANDER VORST WELL #26. Location of point of diversion SE 1/4 OF SW 1/4 - 10 - 125 - 76County CAMPBELL7. Annual period or periods during which water is to be used MAY 1 - NOV. 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. | Land Description | No. Acres Irr. |
|---------------------------------|----------------|------------------|----------------|
| NW 1/4 - NW 1/4 - 10 - 125 - 76 | 40             |                  |                |
| SW 1/4 - " " " "                | 40             |                  |                |
| NE 1/4 - " " " "                | 40             |                  |                |
| SE 1/4 - " " " "                | 40             |                  |                |

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. 57648

A. Works proposed to divert water from its natural source

IRRIGATION WELL

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

IRRIGATION PIPE

C. Works proposed to apply water to beneficial use.

CENTER PLOT SYSTEM

**\* NOTE - NO ADDITIONAL  
WATER IS REQUIRED BE-  
CAUSE ONLY ONE OF THE  
THREE QUARTERS WILL BE  
IRRIGATED AT ONE TIME.**

**\* FOR WELL INFORMATION, SEE  
PERMIT # 4310-3**

Estimated Total Cost \$ 6000.00

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 )  
 ) ss.  
 County of CAMPBELL )

I, EDWIN DALE 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 Edwin Dale Vander VorstSubscribed and sworn to before me this 30th day of March, 1981Herold Dale Registered of Deeds

Notary Public (or other qualified officer)

# WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4705-3

EDWIN DALE VANDERVORST  
(Applicant)

Box 35 MOUND CITY  
(Post Office Address)

SOUTH DAKOTA 57646 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 APRIL 2, 1981

Date of return to applicant for correction, amendments or changes required APRIL 3, 1981

Date of receipt of corrected application APRIL 10, 1981

Approved MAY 1, 1981, Recorded in Book 22 Page 149

WATER RIGHT PERMIT NO. 4705-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4705-3 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 APRIL 2, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 1, 1983
3. The whole of said work is to be completed on or before MAY 1, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 1, 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 NO ADDL 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 an 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 MAY 1, 1990; said water to be used during the following described

annual period: MAY 1 - NOVEMBER 1

Witness my hand this 19<sup>TH</sup> day of MAY, 1981

THE WATER MANAGEMENT BOARD

By John Matich  
Chief Engineer Water Rights

Certificate of Construction Issued \_\_\_\_\_, 19\_\_\_\_

Water License Issued \_\_\_\_\_, 19\_\_\_\_

CONSERVATION COMMISSION

WI#1 FORM

3/80

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

OWNERS NAME: EDWIN DALE VANDER HORST TOWNERS ADDRESS: MAUND CITY

S. D. 57646

COUNTY LAND LOCATED IN: CAMPBELL PHONE: 955-3596

TENANT'S NAME AND ADDRESS: (If Other Than Owner) \_\_\_\_\_

In accordance with State Law SDCL 46-5-6.5, If a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

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

1. WELL LOCATION OR DIVERSION POINT: SE 1/4 - SW 1/4 - 10 - 125 - 76
2. SURFACE WATER SOURCE: \_\_\_\_\_
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

| Legal Description               | Acres | Legal Description | Acres |
|---------------------------------|-------|-------------------|-------|
| NW 1/4 - NW 1/4 - 10 - 125 - 76 | 40    |                   |       |
| NE 1/4 " " " "                  | 40    |                   |       |
| SW 1/4 " " " "                  | 40    |                   |       |
| SE 1/4 " " " "                  | 40    |                   |       |

4. TYPE OF IRRIGATION: GRAVITY: \_\_\_\_\_ TOWLINE: \_\_\_\_\_ CENTER PIVOT: ☒ GUN: \_\_\_\_\_ OTHER: \_\_\_\_\_ (Specify) \_\_\_\_\_

5. CROPS TO BE IRRIGATED: ALFALFA CORN

6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1980

LEGAL DESCRIPTION: NE 1/4 AND SW 1/4 - 10 - 125 - 76 PERMIT #: 4310-3

IN WHAT NAME: EDWIN DALE VANDER HORST

\* THE NW 1/4 IS BEING ADDED TO AN EXISTING PERMIT.

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

7. WATER SAMPLE NUMBER: 78-423
8. SALINITY (EC X 10<sup>6</sup>): 994
9. SODIUM (SAR): 2.09
10. ADJUSTED (SAR): 5.73 (4.01)

RECEIVED

APR 08 1981

South Dakota  
Division 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 instruction sheet) were followed, and that the sample was taken at \_\_\_\_\_ a.m./p.m., on \_\_\_\_\_, 19\_\_\_\_, at the following location: \* WATER QUALITY ANALYSIS ATTACHED by \_\_\_\_\_ (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 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

3rd DAY OF March, 1981.

H. J. M. Knicker of Maund  
(NOTARY-PUBLIC)

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 PERMIT must be obtained from the Board of Water Management.

Edwin Dale Vander Horst  
APPLICANT'S SIGNATURE

Jack M. Stoltz  
Director, Division of Conservation

APPROVED  
DISAPPROVED  
☒ CONDITIONALLY APPROVED



No. 4705-3

Publish first publication, on or before April 16, 1981

NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that Edwin Dale 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 no add'l cubic feet of water per second of time from groundwater Vander Vorst Irr. (one existing well) through the Unit #2 the point(s) of diversion of which is (none) to be located in the SE 1/4 SW 1/4

of Section 10, Twp. 125 N, Range 76 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2, Section 10 - T125N - R76W, to add additional acreage on Permit No. 4310-3.

This Application No. 4705-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 1st day of May 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 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: Edwin Dale Vander Vorst  
Box 35  
Mound City, SD 57446

BETTY WESTLUND  
Water Rights Specialist

WNR-006A-7/79 Notice of Intent to Appropriate Water  
GROUNDWATER

**NOTICE ON HEARING ON  
APPLICATION TO  
APPROPRIATE WATER**

Notice is hereby given that Edwin Dale 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; 46-2-3 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 no add'l cubic feet of water per second of time from groundwater (one existing well) through the Vander Vorst Irr. Unit No. 2, the point of diversion of which is to be located in the SE 1/4 SW 1/4 of Section 10, Twp. 125N, Range 76 W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW 1/4, Section 10 - T125N - R76W, to add additional acreage on Permit No. 4310-3.

This Application No. 4705-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 1st day of May 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 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.

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Any handicapped person wishing to attend the 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**  
by \_\_\_\_\_, its Specialist

cc: Edwin Dale Vander Vorst  
Box 35  
Mound City, SD 57048

16, 17

# Affidavit of Publication

STATE OF SOUTH DAKOTA  
COUNTY OF CAMPBELL

ss:

James E. Mackay  
I, ~~James E. Mackay~~, being first duly sworn under oath say: The Prairie Pioneer is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, published by James E. Mackay in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice on Hearing on Application  
To appropriate water

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive weeks upon the following dates, to-wit:

|                 |              |    |
|-----------------|--------------|----|
| <u>April 16</u> | <u>19 81</u> | 19 |
| <u>April 23</u> | <u>19 81</u> | 19 |
|                 | 19           | 19 |
|                 | 19           | 19 |
|                 | 19           | 19 |

that the full amount of the fees charged for publishing the same

to-wit: the sum of \$21.51

inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

James E. Mackay

Subscribed and sworn to before me this

23 day of April, 19 81

William V. Rantz

SWORN TO BY M. PATRICK

Notary Public, S. Dak.  
In and for the County of \_\_\_\_\_, S. Dak.

# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8117

PIERRE, April 3, 1981

Edwin Dale Vander Vorst, Box 35, Mound City, SD 57646

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

|                                                                                                                |               |
|----------------------------------------------------------------------------------------------------------------|---------------|
| Fee for Application for Permit to Appropriate Water No. 4705-3 (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)                                                                    |               |
| <b>TOTAL</b>                                                                                                   | <b>250.00</b> |

WATER RIGHTS COMMISSION

By *(John Hatch)*  
Chief Engineer, Executive Officer  
JOHN HATCH /bt



## Post Office

Date \_\_\_\_\_

Edwin Dale VanderVort  
(Signature)



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

Water Rights Division  
605 773-3352

No. 4507-3

March 21, 1983

Jerry Peterson  
RR 1 Box 36A  
Bruce SD 57220

Dear Mr. Peterson:

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

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

Section 66 of House Bill 1001 as passed by the 1983 Legislature and effective March 8, 1983 requires Notice of any sale, grant, lease, conveyance or other transfer of a permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise this office if you have any questions.

Sincerely,

KAREN SCHLAACK  
Administrative Aide.

enclosures



# Department of Water & Natural Resources

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

March 23, 1987

EDWIN DALE VANDERVORST  
BOX 70  
MOUND CITY, SD 57646

## NOTICE

Re: Violation of Water Permit(s). 4310-3, 4705-3 and 1986  
Irrigation  
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4310-3, 4705-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4310-3, 4705-3 qualification:

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

The hearing will also be to determine if Permit No(s). 2119-3 and 3803-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

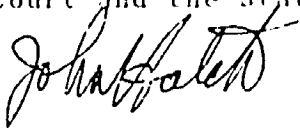
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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 hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4310-3, 4705-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 2119-3 and 3803-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

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

NOTE: If the questionnaire(s) are received in this office before the hearing date, you will no longer be in violation of your permit(s), and your name will be deleted from the agenda pertaining to these hearings.



# Department of Water & Natural Resources

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

April 24, 1987

2119-3  
3803-3  
4310-3  
4705-3

Edwin Dale Vander Vorst  
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 Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 2119-3, 3803-3, 4310-3 and 4705-3 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

EDWIN DALE VANDERVORST  
BOX 70  
MOUND CITY, SD 57646

**NOTICE**

Re: Violation of Water Permit No(s). 4310-3, (4705-3) and 1987  
Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4310-3, 4705-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4310-3, 4705-3 qualification:

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

The hearing will also be to determine if Permit No(s) 3803-3, 2119-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

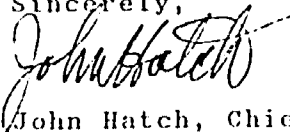
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4310-3, 4705-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 3803-3, 2119-3 also held by EDWIN DALE VANDERVORST to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch", with a horizontal line extending from the end of the signature.

John Hatch, Chief Engineer  
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



# Department of Water & Natural Resources

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

February 10, 1988

2119-3  
3803-3  
4310-3  
4705-3

Edwin Dale 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. 2119-3, 3803-3, 4310-3, 4705-3 and the hearing date before the Water Management Board.

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

Very truly yours,

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



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

Division of Water Rights  
605 773-3352

No. 4705-3

June 30, 1988

Edwin D. Vander Vorst  
Box 70  
Mound City, South Dakota 57646

Dear Mr. Vander Vorst:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4705-3 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 issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

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

Sincerely,

Maxine Stirling  
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 11, 1938

RECEIVED OF Edwin Vander Vorst, 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 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. <u>4705-3</u>                | 50    | 00    |
| Fee for Filing Transfer Form _____                                                                                         |       |       |
| 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 | 50 00 |

By

Chief Engineer

JOHN HATCH

(RS)

Water District

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

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

I have this day made a thorough examination of the water use system constructed by Edwin  
Dale VanderVorst of Box 70 Mound City, SD holder of  
 Permit No. 4705-3, bearing the priority of April 2 1981  
4310-3, bearing the priority of June 5 1978 authorizing  
 the diversion of No Add'l 2.2 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:

Aurora Verti Line Pump  
Model 381-71906

U.S. Electrical motor

ID# R9982-03-91 12127068 mmType 10RH capacity 800 gpmHP 125

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

approximately 6200 feet  
8" plastic pipe

## C. Works used to apply water to beneficial use:

Reinke Electrogator Center Pivot - Model 680 - towable pivot  
1284 feet long  
8 towers  
Serial # 5B1C7843

The system is in the following condition good

The point of diversion is located 2340' N 85° E from SW 1/4 corner of  
Section 10 - T125N - R76W (100' N + 2340' E of SW 1/4 cor. - Sec 10)

The works are capable of diverting and conveying to the place of use 1.78 cfs  
 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: All in T125N-R76W

33 acres - NW 1/4 NW 1/4 Sec 10 33 NW 1/4 NE 1/4 Sec 10

33 " - NE 1/4 NW 1/4 Sec 10 33 NE 1/4 NE 1/4 Sec 10

33 " - SE 1/4 NW 1/4 Sec 10 33 SW 1/4 NE 1/4 Sec 10

33 " - SW 1/4 NW 1/4 Sec 10 33 SE 1/4 NE 1/4 Sec 10

comprising a total of 264 acres of land and the license should be issued for 1.78 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are:

Date 6/17/88NW 1/4 of Sec. 10 - priority date of April 2, 1981NE 1/4 of Sec 10 - priority date of June 5, 1978

pivot is towed between quarters - can only irrigate one 1/4 at a time.

Edwin VanderVorst  
 (signature)

LICENSE FOR PERMIT NUMBER 4310-3 + 47053

1. Legal location of wells: 2340 ft. N85°E from SW 1/4 corner  
of Section 10 - T125N - R76W; (1000' N + 2340' E of SW 1/4 corner of Sec 10.)

dams & structures: \_\_\_\_\_

2. Well Information: Well Drilling Firm Huron Drilling

No. of wells one Depth 278

Casing a) diameter 4" Screen a) type -  
b) length 278 b) length 80'  
c) type Plastic Static Water Level 51'

Pump a) make Aurora Verti Line Motor a) make U.S. Electrical  
b) model 381-71906 b) model no. 10\* R9982-03-9112127068 mm  
c) size Type 10RH c) horsepower rating 125  
d) capacity 800 GPM d) motor efficiency rating \_\_\_\_\_  
e) turbine pump  
no. of stages 10

3. Distribution lines:

a) size of lines 8"  
b) type Plastic  
c) length 6200'

4. Dam information:

a) height to crest \_\_\_\_\_  
b) height to spillway \_\_\_\_\_  
c) crest width \_\_\_\_\_  
d) crest length \_\_\_\_\_  
e) spillway length \_\_\_\_\_  
f) spillway width \_\_\_\_\_  
g) approx. storage \_\_\_\_\_  
h) Distribution lines or canals:  
1) size \_\_\_\_\_  
2) type \_\_\_\_\_  
3) length \_\_\_\_\_

- i) Outlet tubes:

1) diameter \_\_\_\_\_  
2) type \_\_\_\_\_  
3) valued (Y/N) \_\_\_\_\_  
4) valve type \_\_\_\_\_  
5) location on structure \_\_\_\_\_

5. System Type: a) sideroll:

1) length \_\_\_\_\_ feet  
2) diameter of pipe \_\_\_\_\_  
3) make, model & number of sprinklers \_\_\_\_\_  
4) spacing of sprinklers \_\_\_\_\_  
5) nozzle size \_\_\_\_\_

- b) towline:

1) length \_\_\_\_\_ feet  
2) make, model & number of sprinklers \_\_\_\_\_  
3) spacing of sprinklers \_\_\_\_\_  
4) nozzle size \_\_\_\_\_

System Type: c) center pivot

- 80 1) make Reinke  
2) number of towers 8  
3) distance between towers \_\_\_\_\_  
4) overall length 1284  
5) End gun (Y/N) \_\_\_\_\_  
6) high or low pressure \_\_\_\_\_  
7) make & size of nozzles \_\_\_\_\_  
8) PSI reading while system is running 55  
9) GPM 800

g) Gun

- 1) make \_\_\_\_\_  
2) serial number \_\_\_\_\_  
3) nozzle size \_\_\_\_\_  
4) capacity (GPM) \_\_\_\_\_  
5) PSI \_\_\_\_\_  
6) hose size \_\_\_\_\_  
7) hose length \_\_\_\_\_

d) Gate Pipe

- 1) length \_\_\_\_\_  
2) diameter \_\_\_\_\_  
3) spacing of gates \_\_\_\_\_

e) Siphons

- 1) number \_\_\_\_\_  
2) size \_\_\_\_\_

f) Portable boom

- 1) make \_\_\_\_\_  
2) serial number \_\_\_\_\_  
3) nozzle size \_\_\_\_\_  
4) capacity (GPM) \_\_\_\_\_  
5) PSI \_\_\_\_\_

h) Hydromatic

- 1) make \_\_\_\_\_  
2) model \_\_\_\_\_  
3) serial number \_\_\_\_\_  
4) length \_\_\_\_\_  
5) nozzle size \_\_\_\_\_  
6) spacing \_\_\_\_\_  
7) PSI \_\_\_\_\_  
8) capacity (GPM) \_\_\_\_\_

YES NO Check Items

- ☒ \_\_\_\_\_ 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.  
☒ \_\_\_\_\_ 2. Special Qualifications to permit being abided by.  
☒ \_\_\_\_\_ 3. All Structures, wells and lands on map.

REMARKS:

Dale Vander Vorste

SW-10-125-76-Campbell

5/23/78

RIG NO

FOOTMAN

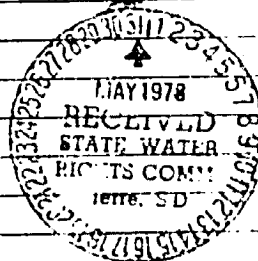
JOB NAME

LOCATION

Co.

DATE

| DI | DEPTH   | TIME | REMARKS                                                               |
|----|---------|------|-----------------------------------------------------------------------|
| 1  | 0-20    |      | 0-5 Top soil sandy<br>5-15 Yellow clay<br>15-20 Dark sand, water loss |
| 2  | 20-35   |      | 20-30 Dark sand, water loss<br>30-35 Soft blue clay                   |
| 3  | 35-50   |      | Soft blue clay                                                        |
| 4  | 50-65   |      | Blue clay, rock @ 61'                                                 |
| 5  | 65-80   |      | Blue clay                                                             |
| 6  | 80-95   |      | Blue clay                                                             |
| 7  | 95-110  |      | Blue clay                                                             |
| 8  | 110-125 |      | Blue clay                                                             |
| 9  | 125-140 |      | Blue clay                                                             |
| 10 | 140-155 |      | Blue clay                                                             |
| 11 | 155-170 |      | Blue clay                                                             |
| 12 | 170-185 |      | Blue clay                                                             |
| 13 | 185-200 |      | Blue clay                                                             |
| 14 | 200-215 |      | Blue clay, several streaks of gravel and sand-water loss, coal        |
| 15 | 215-230 |      | Good sand, gravel, coal, some blue clay                               |
| 16 | 230-250 |      | 230-233 Sand, gravel, coal-water loss<br>233-250 Blue clay            |
| 17 | 250-270 |      | Blue clay, few streaks sand, gravel, rock @ 269'                      |
| 18 | 270-290 |      | 270-273 Blue clay<br>273-290 Sand, gravel coal, Water loss            |
| 19 | 290-310 |      | 290-295 Sand gravel-water loss coal<br>295-305 Slate                  |
|    | TD 310  |      | 305-310 Shale                                                         |
|    |         |      | Cased to 278 Ft.                                                      |
|    |         |      | Pumped 100 GPM                                                        |
|    |         |      | Waterhead 51' Pumped with air @ 140'                                  |



Mound City, South Dakota

## WELL REPORT

Campbell County

S.W.-10-125-76

HUBBARD  
DRILLING CO.  
Mound, S.D.

May 27, 1978

Dale Vander Vorste

OWNER

DESCRIPTION

DATE

## CASING LOG

|                         |     |     |     |    |            |         |     |     |
|-------------------------|-----|-----|-----|----|------------|---------|-----|-----|
| Depth                   | 278 | ft  | 278 | ft | 4" Sch. 40 | pipe to | 278 | ft. |
| Flows                   |     | gpm |     |    | Plastic    |         |     |     |
| Pumps                   | 100 | gpm |     |    |            | pipe to |     | "   |
| Head                    | 51  | ft  |     |    |            | pipe to |     | ft. |
| 80 Ft. Slotted @ bottom |     |     |     |    |            | pipe to |     | ft. |
| Perforations            |     |     |     |    |            |         |     |     |

Producers

## REMARKS:

3 days

Running Time

1 - 5" Drag Bit 1 - Used 7 7/8" Bit

Rig No. 19

2 bags of bentonite

David Mendel

1/2 bag of red rt.

DM

Foreman

**State of South Dakota**  
**Water License No. 4705-3**

(1) Edwin Dale Vander Vorst  
of Box 70, Mound City, South Dakota 57646  
made Application No. 4705-3, April 2, 1981 for a water permit to appropriate  
no add'l cubic feet per second of water from groundwater (one well-existing),  
Campbell County, South Dakota for irrigation purposes.  
Permit No. 4705-3, with a priority date of April 2, 1981  
was approved May 1, 1981 and issued to applicant(s) for diversion of water with construction of the described  
water supply system to be completed on or before May 1, 1986 and for the application to beneficial use of said  
water on or before May 1, 1990.

Water Permit No. 4705-3 authorizes irrigation of 160 acres in the NW $\frac{1}{4}$  Section 10, T125N,  
R76W, with no additional water from an existing well. The well and the cubic feet per  
second of water are authorized under Water Permit No. 4310-3.

The applicable portions of Water Permit No. 4310-3 have been incorporated into this Water  
License No. 4705-3.

A priority date of April 2, 1981 (Permit No. 4705-3) is retained for irrigation of land in  
the NW $\frac{1}{4}$  Section 10; and a priority date of June 5, 1978 (Permit No. 4310-3) is retained  
for irrigation of land in the NE $\frac{1}{4}$  Section 10, all in T125N, R76W.

and

(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 1.78 cubic feet per second of water  
for beneficial use. The location of the diversion point(s) is 2340 feet North 85° East from the SW $\frac{1}{4}$   
Corner of Section 10, T125N, R76W.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to ~~the following extent~~, irrigate the following land:

T125 N. R76W Section 10    NW $\frac{1}{4}$ NW $\frac{1}{4}$     33 Acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$     33 Acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$     33 Acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$     33 Acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$     33 Acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$     33 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$     33 Acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$     33 Acres

TOTAL            264    ACRES

NW $\frac{1}{4}$  has priority of April 2, 1981 (No. 4705-3)

NE $\frac{1}{4}$  has priority of June 5, 1978 (No. 4310-3)

(4) Pursuant to §46-5-30.1 Edwin Dale Vander Vorst

of Box 70, Mound City, South Dakota 57646

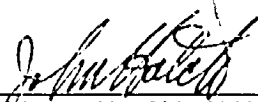
the holder(s) and/or owner(s) of <sup>Incorporated</sup>~~Water Permit~~ No. 4705-3 is issued a license to appropriate water, the right to use

1.78 cubic feet per second of water from groundwater (one well) with a priority date

of April 2, 1981 and June 5, 1978 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 <sup>Incorporated</sup>~~Water Permit~~ No. 4705-3 and subject to South Dakota State Law.

  
Chief Engineer, Water Rights Division  
Department of Water and Natural Resources

JOHN HATCH    ms

DEC 21 1988



# Department of Water & Natural Resources

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

DEC 21 1998

Edwin Dale Vander Vorst  
Box 70  
Mound City, South Dakota 57646

Dear Mr. Vander Vorst:

Enclosed is Water License No. 4705-3. This is the final water right document completing your process of obtaining a Water Right.

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. 4705-3, 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 Division  
605 773-3352

enclosures

NOTE: Applicable portions of Water Permit No. 4310-3 have been incorporated into this Water License No. 4705-3.





4705-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 9, 1998

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

3803-3  
4448-3A  
4705-3

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. 4705-3

Date: 12-14-98

I/We request that Water Right No. 4705-3

formerly owned by: Edwin Dale VanderVorst

be transferred to: (name & address) Iverson 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:

264 acres - N 1/2 Section 10, T125N, R76W

I/We understand that the validity of Water Right No. 4705-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

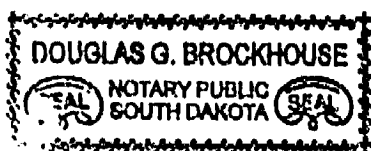
STATE OF SOUTH DAKOTA )

County of MINNEAPOLIS )

I/We Norman 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.

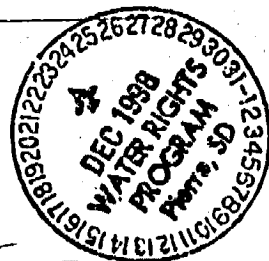
Norman Iverson  
(Signed)

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

**N2 413967**

Pierre, December 28, 1998

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. 4705-3

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

(Any Other Work Provided by Law)

**Total**

2 50

2 50

By

Chief Engineer

John R. Von Wald (Signature)



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

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](http://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. 4705-3

Date: 12-7-99



I/We request that Water Right No. 4705-3

formerly owned by: Iverson Farms

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

2601 S. Six Mile Rd Sioux Falls SD 57110 Telephone No. 1-605-371-2458

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

264 acres in the N 1/2 Section 10, T125N, R76W

I/We understand that the validity of Water Right No. 4705-3 has not been determined by this transfer action. If I/We have any question 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.

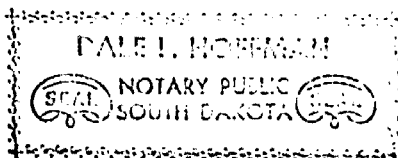
STATE OF SOUTH DAKOTA )

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.



Dale L. Hoffmann  
(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

N2 416308

Pierre, December 20, 1999

RECEIVED OF Iverson Farms, 2601 S. Six Mile Rd., Sioux Falls, SD 57110

for 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. 4705-3

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Any Other Work Provided by Law)

Total

2 50

By

J. A. Hatcher  
Chief Engineer



47703-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

February 7, 2000

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.

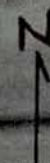
If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

# NOT TO SCALE



MAINE 34153 APPL NO 4705-3

157.2  
150.9

LAND TO BE IRRIGATED

NW 1/4 - 10 - 125-76

23 acres 33 acres

OWNED BY:

EDWIN DALE VANDERVOORST

154.8

81L

33 acres

23 acres

23 acres

23 acres

33 acres

23 acres

169.1

PROPOSED  
UNDER GROUND PIPE

Scale:  
1 in  $\approx$  660 ft.

UNDERGROUND PIPE

2340'

2340 ft.

125-76

IRRIGATION WELL  
#2

IRRIGATION  
WELL #1

Map prepared by  
James Kanable  
Co. Est. Agent  
Mound City, S.D.  
57646

License  
No. 4705-3

6/17/88  
Natural Resources Engineer

# SOUTH DAKOTA WATER WELL COMPLETION REPORT

4705-3

11-02

Location NE 1/4 1/4 Sec 10 Twp 12SN Rg 74W

County Campbell

North

E

W

X

1 Mile

Please mark well location with an "X"

Well completion Date 7-15-12

Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)  
? ft. from \_\_\_\_\_ (identify source)

Well Owner: Bob Iverson

Business Name: Iverson Farms

Address1: 30856 119st

Address2: \_\_\_\_\_

City, State, Zip: Mound City SD 57646

| FORMATION                | DEPTH |     |
|--------------------------|-------|-----|
|                          | FROM  | TO  |
| Br. clay                 | 2     | 15  |
| Coarse sand-gravel       | 15    | 29  |
| Clay                     | 29    | 207 |
| Med. sand                | 207   | 220 |
| Med.-coarse sand, gravel | 220   | 237 |
| Clay                     | 237   | 261 |
| Med. sand to fine gravel | 261   | 296 |
|                          |       |     |
|                          |       |     |

**PROPOSED USE:**

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

**METHOD OF DRILLING:**

Forward Rotary

**CASING DATA:** ☐ Steel    ☒ Plastic    ☐ Other

If other describe SDR-21

| PIPEWEIGHT | DIAMETER | FROM | TO | HOLE DIAMETER |
|------------|----------|------|----|---------------|
| LB/FT      | IN       | FT   | FT | IN            |
|            |          |      |    |               |
|            |          |      |    |               |
|            |          |      |    |               |

**GROUTING DATA:** Granular Grout

Grout Type 56 No. of Sacks 10 Grout Weight 10 Lb/gal From 30 Ft To 207 Ft

Describe grouting procedure 1 1/2" tremie pipe, pumped Grout. top 30' neat cement grout .8 Yds

**SCREEN:** ☐ Perforated pipe    ☐ Manufactured

Diameter 12 PS Inches Length 30 Feet

Material Stainless steel

Slot Size .80 Set From 266 Feet to 295 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? Chlorinated

☐ No, Why Not? \_\_\_\_\_

Lab sample sent to for water quality analysis \_\_\_\_\_

**STATIC WATER LEVEL** 42.9 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: 210 GPM

☐ Bailed

☐ Other

Pumping Level Below Land Surface 53.4 Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ Ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate: \_\_\_\_\_ GPM

**REMARKS** RE PLACEMENT WELL.

Orig. well drilled by Huron Drill.

This well was drilled under license # 434

And this report is true and accurate.

Drilling firm: M & W Drilling Inc.

Signature of License Representative: [Signature]

Signature of Well Owner or Equitable Property Holder: [Signature]

Date: \_\_\_\_\_

Please return White Copy to DENR Water Rights

523 E. Capitol Ave., Pierre SD 57501

**RECEIVED**

AUG 13 2012

WATER RIGHTS PROGRAM



4705-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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](mailto: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.



4705-3  
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 115<sup>th</sup> 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



4705-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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](mailto: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.

4705-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

February 12, 2019

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

Brandon Ritter  
30489 115<sup>th</sup> 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 that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

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

c; Iverson Farms, 30856 119<sup>th</sup> St, Mound City, SD 57646



4705-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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](mailto: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.

4705-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

February 19, 2020

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

Brandon Ritter  
30489 115<sup>th</sup> 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,

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

c: Iverson Farms

4705-3



**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](mailto: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.

4705-3



**DENR**  
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 115<sup>th</sup> St, Mound City SD 57646  
Iverson Farms, A Ltd Partnership, 30856 119<sup>th</sup> 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:

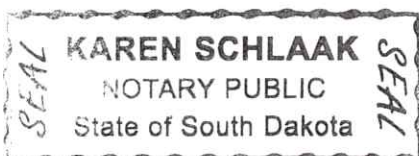
- **"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."**

**March 4<sup>th</sup>**  
**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.



4705-3



**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 115<sup>th</sup> 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 3<sup>rd</sup>. 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". The signature is fluid and cursive.

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



4705-3

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](mailto: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.



4705-3  
**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 115<sup>th</sup> 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

4705-3



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](mailto: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.

4705-3



**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 115<sup>th</sup> 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](mailto: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 115<sup>th</sup> 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 115<sup>th</sup> 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

4705-3

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 57501-3182

Water Right/Permit No. 4705-3

Date: 2/3/2025

I/We request that Water Right/Permit No. 4705-3 formerly owned by:  
Iverson Farms LTD - Mound City SD be transferred to:New Owner Name: Brandon Ritter  
Address: 30489 115<sup>th</sup> 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 10-T125N-R76W  
NW 1/4 - 132 ac  
NE 1/4 - 132 ac  
total: 264 acres☒ I understand that the validity of Water Right/Permit No. 4705-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

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

I, Brandon Ritter, the new owner, certify that the above information is true and correct.

  
(signed by new owner)**NOTE:** Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, 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 115<sup>th</sup> 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                                                          | \$150.00 |
| 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    |
|                                                                                                                | \$150.00 |

By

Eric Gronlund

Chief Engineer

SK



**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 115<sup>th</sup> 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*



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

No. 4705-3

June 11, 2025

Brandon Ritter  
30489 115<sup>th</sup> Street  
Mound City SD 57646

Dear Mr. Ritter,

On June 10, 2025, a staff member from the Department of Agriculture and Natural Resources (DANR) observed overspray from the irrigation system located in the NE 1/4 Section 10-T125N-R76W onto the north/south road (see attached). This irrigation system is covered by Water Right No. 4705-3 with you listed as the owner.

It is common for center pivots to have stops which are used to shut off the end gun when the pivot nears a road. Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes end gun overspray upon lands, including roadways, not covered by the water right. Application of water to a roadway or unauthorized lands is a waste and unreasonable use of water pursuant to SDCL 46-1-4.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at [ron.duvall@state.sd.us](mailto:ron.duvall@state.sd.us).

Thank you for your cooperation,

Ron Duvall  
Water Rights Program, DANR

enclosure

## **Water Rights Program File Documentation**

NAME OF PERSON OR FILE: Brandon Ritter

DATE: June 10, 2025 @ approximately 11:30 am Central Time

RE: Irrigation Overspray

### **COMMENTS:**

Water Rights Program staff engineer Tyler Jensen documented overspray occurring from a center pivot authorized by Water Right No. 4705-3. The overspray picture, Figure 1, is facing north with easterly winds. The picture location is approximately 0.35 miles south of the intersection of 119<sup>th</sup> St and 309<sup>th</sup> Ave in Campbell County at coordinates: 45.66126, -100.00685.



Figure 1- Irrigation overspray by Water Right No. 4705-3 facing north.

File: 4705-3

Figure 2 is a map of the area including the responsible permit (Water Right No. 4705-3), and other area water rights/permits.

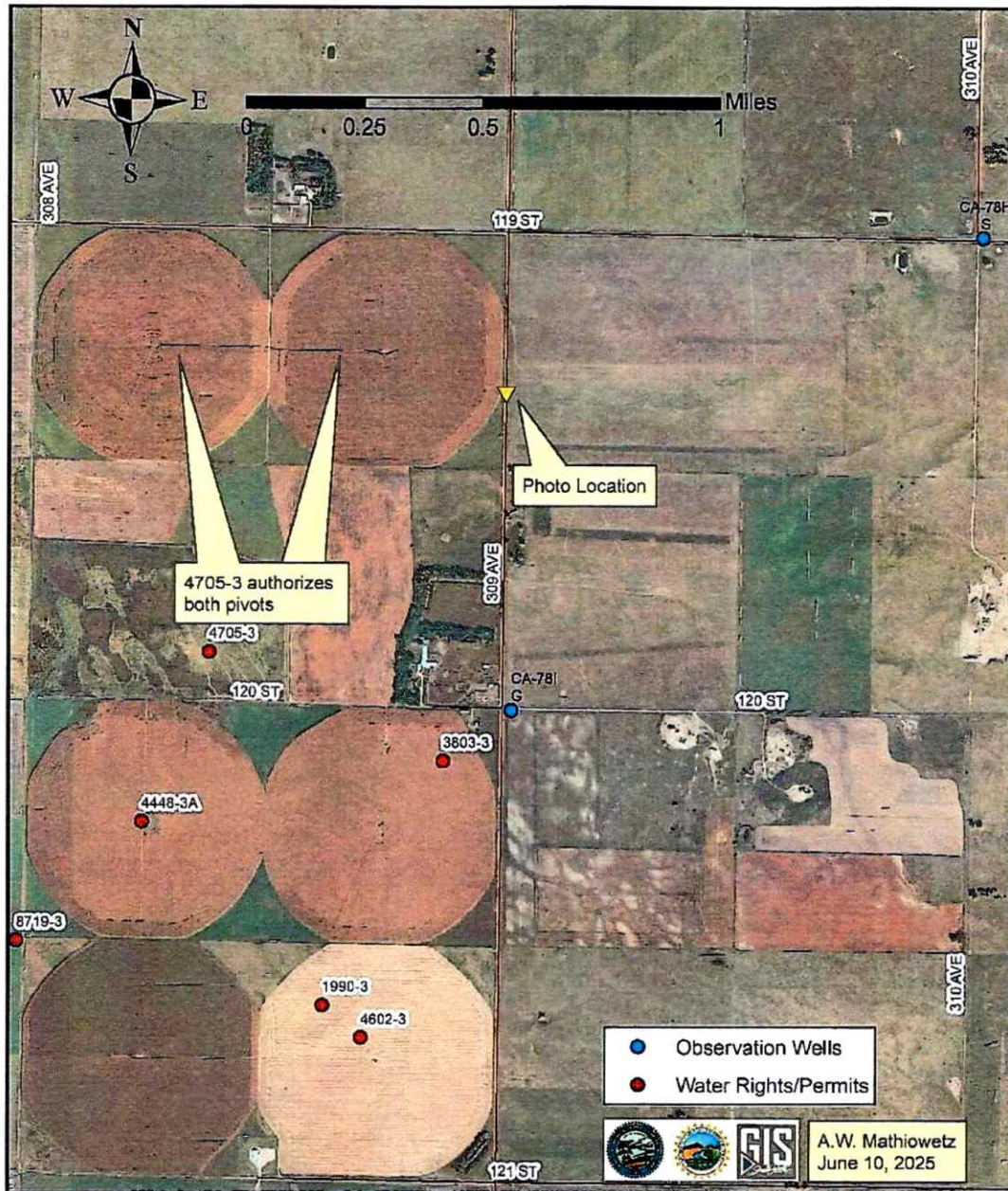


Figure 2- Map of area water rights/permits and observation wells

*Adam Mathiowetz*

Adam Mathiowetz

Natural Resources Engineer

DANR-Water Rights Program



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.

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**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.